Problems of Communism

Book Reviews

Alfred G. Meyer

Pierre Hassner

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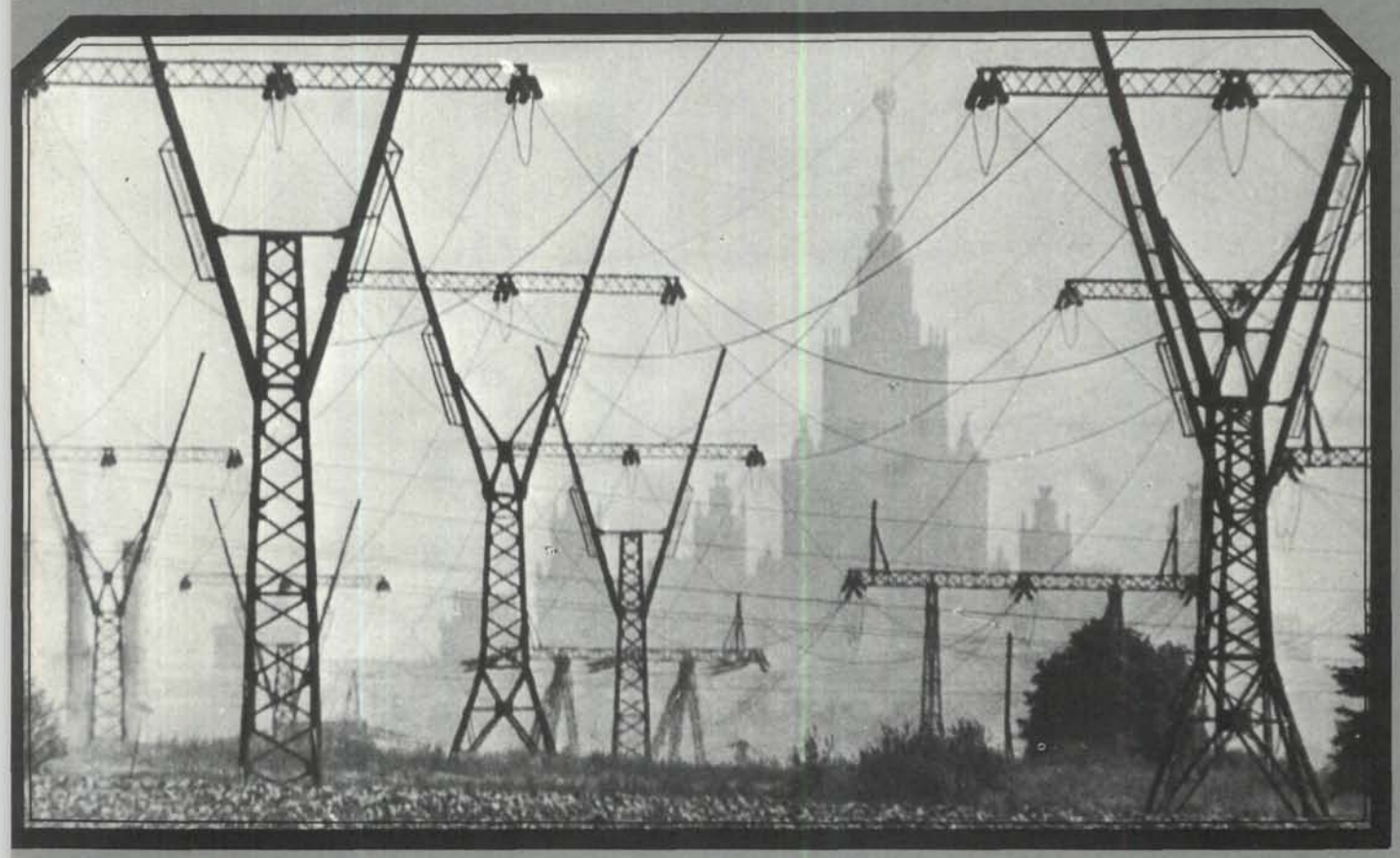
Abraham Ascher

SEPTEMBER–OCTOBER 1977



THE USSR

The New Constitution — Robert Sharlet

The "Second Economy" — Gregory Grossman

Energy Crunch Ahead? — Leslie Dienes

Policy Toward Japan — Joseph M. Ha

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Problems of Communism

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SEPT-OCT 1977 VOL XXVI

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The New Soviet Constitution

By Robert Sharlet

In the wake of major leadership changes, the long-awaited draft of a new Soviet Constitution —now nearly 20 years in the making—finally has appeared. With little advance warning, impending publication of the document was announced at a Central Committee plenary session in late May. But the significance of this event was at once overshadowed by the simultaneously announced ouster of Nikolay Podgornyy from the CPSU Politburo. Podgornyy's dramatic exit from the party leadership and his "request" for retirement from chairmanship of the Presidium of the USSR Supreme Soviet paved the way for General Secretary Leonid Brezhnev to be elected to the Soviet "presidency" at the regular Supreme Soviet session in mid-June.[1]

Thus, in the space of a few weeks, Brezhnev reached the summit of his political career. Having successfully engineered the fall of a reputedly major Politburo rival, he became the first CPSU leader to serve as not only de facto but also de jure head of state. In this new capacity, he immediately embarked on a major and well-publicized state visit to France, where his reception was marked by considerable ceremony. Yet while the General Secretary's new office has attracted the most attention abroad, the proposed Constitution quickly occupied center stage at home. Indeed, the nationwide "public" discussion of the Draft has taken on the central role in the activities leading up to the celebration on November 7 of the 60th anniversary of the Bolshevik Revolution.[2]

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The process of drafting a new Constitution was not a smooth one. The published Draft surfaced after nearly two decades of discussion and uncertainty—not just about its contents but about whether it would even appear at all. Entangled in the politics of destalinization, the passage of the new Soviet Constitution through the more open, factionalized, and conflict-ridden policy-making process of the post-Stalin era proved a complex undertaking, requiring numerous changes and compromises to accommodate the diverse interests involved in such a broad, overarching document.

The Path of Constitutional Reform

These circumstances contrast considerably with those surrounding the appearance of the "Stalin Constitution" some four decades before. A constitutional commission was appointed in 1935 and charged with replacing the constitution of 1924, which, after nearly a decade of social upheavals, no longer reflected the structure and content of the

[1] *Pravda* (Moscow), May 25, 1977, p. 1; and ibid., June 17, 1977, p. 1. For the Constitutional Commission's brief communiqué, see ibid., May 24, 1977, p. 1. The Draft was subsequently published on June 4 throughout the national and regional press. See the translation in *Current Digest of the Soviet Press* (Columbus, OH—hereafter *CDSP*), June 29, 1977, pp. 1-11, 22.

Podgornyy did not appear in person before the Supreme Soviet; his "resignation" was made in his behalf. In addition, the May plenum also relieved Konstantin Katushev from his post as Central Committee Secretary supervising relations with ruling Communist parties. He was replaced by K. V. Rusakov, in a change apparently unrelated to the decision to publish the new Constitution.

[2] The growing constitutional discussion in short order subsumed both the campaign preceding the local soviet elections, scheduled for June 19, and socialist competitions in honor of the forthcoming 60th anniversary celebration. See *Pravda*, June 20, 1977, for coverage of the elections. For a typical "socialist emulation" pledge by a factory in response to the constitutional discussion, see *Ekonomicheskaya gazeta* (Moscow), No. 28, 1977, p. 4.

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rapidly changing Soviet system. The commission produced a draft by mid-1936 and submitted it for nationwide discussion during the summer and fall. After mainly stylistic and semantic changes, it was ratified in late 1936, and December 5 has since been celebrated as "Constitution Day," invariably calling forth paeans of praise in the nation's media.[3]

The times then, of course, were very different. By the mid-1930's, Stalin had completed his "revolution from above," radically transforming the socioeconomic configuration of Soviet society in the process and, at the same time, ensuring his personal ascendancy over party and state. With collectivization behind him and heavy industrialization well under way, Stalin chose to consolidate these changes and stabilize the resulting status quo. Among other things this entailed reconstructing the legal system as a means of providing a formal framework for the planned, public economy, and of affording a larger measure of predictability to the individual citizen, who had just lived through a time of extraordinarily disruptive, indeed violent, social change. Toward this end, Soviet civil law, which had been rapidly "withering away" under the impact of radical Marxist jurisprudence, was gradually revived. A collective farm statute, legislating the peasant's rights to a personal garden plot, was enacted in 1935; and new, more conservative family legislation, designed to stabilize the family as a social unit, was passed in mid-1936. The new Constitution which followed served as Stalin's most public "signal" that the "revolution from above" was over and that "stabilization" was the new political and legal order of the day.[4]

The "Stalin Constitution" proclaimed that the Soviet Union had become "a socialist state of workers and peasants." It implied that the class war had ended, secured the peasant's garden plot in basic law, and constitutionally mandated the citizen's right to personal property. Although the "great purge" was reaching its crescendo at the same time, and while the new constitutional guarantees of personal security were being honored in the

[3] On the drafting, discussion, and ratification of the 1936 Constitution see S. I. Rusinova and V. A. Ryanzhin, Eds., *Sovetskoye konstitutsionnoye pravo* (Soviet Constitutional Law), Leningrad, Izdatel'stvo Leningradskogo Universiteta, 1975, pp. 75-79. Since Dec. 5, 1965, "Constitution Day" has also been the occasion for an annual silent-protest demonstration by human rights dissidents in Moscow's Pushkin Square. See *A Chronicle of Human Rights in the USSR* (New York, NY), No. 23-24, October-December 1976, p. 10.

[4] See Robert C. Tucker, "Stalinism as Revolution from Above," and Moshe Lewin, "The Social Background of Stalinism," both in Robert C. Tucker, Ed., *Stalinism: Essays in Historical Interpretation*, New York, NY, Norton, 1977, pp. 77-108 and 111-36, respectively.

Muscovites examine the draft text of the new Soviet Constitution as published in the newspaper Sovetskaya Rossiya *and posted on a bulletin board on June 4, 1977.*

—Wide World.

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breach for millions of Soviet citizens, the personal economic rights granted under the "Stalin Constitution" did extend to the individual some greater degree of certainty in his daily life.[5]

After the dictator's death and the onset of destalinization, the rapid pace of reform and developmental change soon surpassed the Constitution's structural capacity to reflect it through the usual piecemeal process of amendment and revision. Efforts to draft a new Soviet Constitution formally began in 1962, but the removal of Nikita Khrushchev two years later understandably interrupted the process.[6] Brezhnev was elected Chairman of the Constitutional Commission in place of the deposed Khrushchev; thus the project was not abandoned. Yet, while the post-Khrushchev leadership thereby maintained a commitment to replace the supposedly long outdated "Stalin Constitution," progress on a new draft slowed appreciably.[7] Nor was this surprising, since previous Soviet constitutions had reflected each succeeding phase of Soviet political development, and since the Brezhnev regime in the latter half of the 1960's set about counterreforming many of Khrushchev's innovations while advancing new policies of its own. Another plausible reason for the delay in constitutional change was that the project presumably did not have the same priority for the pragmatic Brezhnev that it had had for his more ideological predecessor. The 1936 Constitution was easily amendable; the more serious gaps could be filled by additional statutory legislation, and the major anachronisms superseded by new legislative principles and codes. Thus, the long established practice of incremental constitutional change could be continued while the post-Khrushchev leadership addressed itself to the more urgent problems of agriculture, the economy, and foreign policy.

In the late 1960's and early 1970's, however, several Western scholars learned in private talks with Soviet colleagues that the drafting process was under way once again.[8] The prospects for imminent constitutional change gradually gathered a modest momentum in the Soviet legal press and were stimulated from time to time by authoritative political hints. Speculation over the timing of the new Constitution was rife among Western specialists, although anticipation from all quarters mounted as the 25th CPSU Congress approached. The most popular scenario making the rounds among Western journalists and scholars at the time predicted that Brezhnev would crown his career with a new Constitution, to be presented at the Congress, which, presumably, would be Brezhnev's last in view of his age and deteriorating health. But the expected announcement failed to materialize, and Brezhnev confined himself to fresh promises on the subject in a few brief remarks at the end of his long opening-day Report. His statement that work on the constitution was going forward, although "without haste," was echoed subsequently in the legal press, but without elaboration or indication of any deadline for completion.[9] Then, without the usual advance clues, there came the abrupt announcement last May that the new Draft Constitution would soon be published for nationwide discussion.[10]

Continuity and Change

In keeping with Brezhnev's political style, the Draft Constitution is a moderate, middle-of-the-road document, neither anti-Stalinist nor neo-Stalinist in its thrust, but rather a generally pragmatic statement of already existing practice and principle.

[5] See the 1936 Constitution, Arts, 1, 2, 7, 9, and 10. For an English translation see Harold J. Berman and John B. Quigley, Jr., Eds., *Basic Laws on the Structure of the Soviet State*, Cambridge, MA, Harvard University Press, 1969, pp. 3-28.

[6] For a summary of the constitutional revision process from World War II through 1970, see John N. Hazard, "Soviet Law and Justice," in John W. Strong, Ed., *The Soviet Union Under Brezhnev and Kosygin*, New York, NY, Van Nostrand, 1971, esp. pp. 109-14. For an authoritative account by a leading Soviet legal scholar of the constitutional proposals under discussion prior to the creation of Khrushchev's constitutional commission, see P. S. Romashkin, "New Stage in the Development of the Soviet State," *Sovetskoye gosudarstvo i pravo* (Moscow), October 1960, pp. 31-40. A CDSP translation of this important article is reprinted in Jan F. Triska, Ed., *Constitutions of the Communist Party-States*, Stanford, CA, Hoover Institution, 1968, pp. 77-87. Several of the major ideas outlined by Romashkin in 1960 are included in the Draft Constitution published 17 years later. For a Western analysis of the various proposals for constitutional revision before the creation of Khrushchev's commission in 1962, see George Ginsburgs, "A Khrushchev Constitution: Projects and Prospects," *Osteuropa Recht* (Cologne), August 1962, pp. 191-214.

[7] See Jerome S. Gilison, "Khrushchev, Brezhnev, and Constitutional Reform," *Problems of Communism* (Washington, DC), September-October 1972, esp. pp. 75-78.

[8] See Hazard, "Soviet Law and Justice," in Strong, op. cit., p. 111.

[9] L. I. Brezhnev, "Report of the CPSU Central Committee and the Immediate Tasks of the Party in Home and Foreign Policy," *XXVth Congress of the CPSU*, Moscow, Novosti, 1976, pp. 101-02. For the "echo" in the legal press, see, e.g., the unsigned lead article, "The 25th Congress of the CPSU: Further Development of the Soviet State, Democracy, and Law," *Sovetskoye gosudarstvo i pravo*, No. 5, May 1976, esp. pp. 7-8.

[10] Shortly after publication of the Draft Constitution, Politburo member G. V. Romanov, First Secretary of the Leningrad Obkom and a member of the Constitutional Commission, reported that the Draft (*continued on page 4*)

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The Soviet Constitution, 1936 to 1977: at the left, J. V. Stalin delivers his speech on the draft of the USSR Constitution at the Eighth Extraordinary All-Union Congress of Soviets, which approved the document on December 5, 1936; at center, N. S. Khrushchev reports to the Twenty-Second Congress of the Soviet Communist Party, in October 1961, on the new Party Program and plans for constitutional revision; at the right, Leonid I. Brezhnev, Party General Secretary and chairman of the commission which drafted a new USSR Constitution published on June 4, 1977, addresses the June 16, 1977, session of the USSR Supreme Soviet, at which he was elected Chairman of that body's Presidium.

—Sovfoto.

Despite its association with the General Secretary's recent political triumphs, however, this Draft should not be regarded simply as a "Brezhnev Constitution." In the first place, as stressed in its Preamble, the 1977 Constitution displays much "continuity of ideas and principles" with the three previous constitutions.[11] For example, most of the articles dealing with property and the economy (Chapter 2 of the Draft) and with the ordinary citizen's economic rights and duties (Chapter 7) date from the 1936 Constitution, in which they helped institutionalize and consolidate Stalin's "revolution from above." Moreover, Brezhnev himself made constitutional "continuity" a keynote in his plenum Report.[12]

Second, and of much greater importance, the 1977 Constitution codifies major social and political changes which extend beyond the scope of Brezhnev's leadership alone. In the most general sense, this is demonstrated by the fact that Soviet authorities describe the Draft as the constitution of an advanced industrial society, one which, in Soviet parlance, has reached the stage of "developed socialism" (*razvitoy sotsializm*). In contrast, earlier constitutions were designed to serve a Soviet society at very different stages of revolutionary development or post-revolutionary consolidation.

More specifically, the new Constitution takes full account of the great volume of post-Stalin legislation that has affected nearly every branch and area of Soviet law. In fact, there are few points in the Draft which have not been raised or institutionalized already in code law, statutory legislation, or the

had been discussed "repeatedly" in the Politburo, Central Committee Secretariat, Constitutional Commission, and various state institutions. To some extent, he attributed the length of the drafting process to the thoroughness with which the constitutional principles were discussed in these different forums. He noted that many well-known Soviet scholars were consulted during the drafting process, including historians, jurists, philosophers, and sociologists, as well as representatives of the mass social organizations. At the same time, he also made specific reference to Brezhnev's "initiative [in the decision] to approve (*prinyat'*) this historic document in the year of the 60th anniversary of the Great October. . . ." See *Leningradskaya pravda* (Leningrad), June 9, 1977, p. 2.

[11] For translations of the 1918 and 1924 Constitutions, see Triska, op. cit., pp. 2-36.

[12] *Pravda*, June 5, 1977, pp. 1-2. Brezhnev's Report was published verbatim in the national and regional press on June 5, one day after publication of the Draft Constitution. For a translation, see *CDSP*, July 6, 1977, pp. 6-10.

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scholarly juridical commentary explicating the extensive post-Stalin legal reforms. For example, the environmental protection clauses (Arts. 18 and 67), the foreign policy section (Arts. 28-30), and the constitutional prescription (and pun) of a 41-hour work week in Article 41 are all novel in comparison with the 1936 Constitution. But they break no new ground in terms of post-Stalin policy, practice, and legal development.[13]

In broader terms, the Draft Constitution serves as a useful register of both the accomplishments and the limits of destalinization. In retrospect, it is clear that Khrushchev himself set out the boundaries of destalinization in his famous "secret speech" to the 20th Party Congress in 1956. Although he indicted Stalin for the "cult of personality" and its egregious consequences for the party and "socialist legality," Khrushchev also explicitly praised his predecessor for the latter's "great services to the party" in forging the socioeconomic foundations of the Soviet system, laid out in the course of the first Five-Year Plan.[14]

One major aspect of destalinization affirmed in the proposed Draft is the constitutionally enhanced status of the individual in relation to the state, especially in criminal proceedings (Articles 150 and 159) but in civil matters as well (Article 58).[15] No less important is the formally institutionalized "leading role of the party" (Art. 6), a change in constitutional form that culminates the party's renaissance following the end of Stalin's personal dictatorship. At the same time, the moderate tone and obvious compromises in the Draft illustrate the consequences of post-Stalin leadership change, political factionalism, and interest group conflict.

The limits to change, however, are no less significant. Most important, the party has constructed in the Draft Constitution a political instrument for routinizing the governance process, but it has done so in such a manner as to leave sufficient ambiguity for a jurisprudence of political expediency to circumvent the system of "legality" (*zakonnost'*) when necessary. In fact, the party has merely "constitutionalized" the traditional dualism of law and extra-legal coercion.[16] In this fundamental sense, the 1977 Constitution represents codification of the post-Stalin system as a party-led constitutional bureaucracy.

Still, a potentially important qualification should be added. During the course of the lengthy constitutional drafting process, a lively theoretical debate developed among Soviet legal scholars over the concept of "constitution" in Soviet jurisprudence. In essence, two schools of thought vied in the legal press over the seemingly "academic" question of whether to call Soviet public law "state law" (*gosudarstvennoye pravo)* or "constitutional law" (*konstitutsionnoye pravo*).[17] In fact, this debate held significant implications for the 1977 Constitution's draftsmen. "State law" refers to the traditional view which argues that the Soviet Constitution basically is intended to reflect the structure of state power prevailing in Soviet society. From this perspective, the Constitution, through the continuous process of amendment, performs little more than a codification

[13] For environmental legislation, see, e.g., *Fundamentals of Legislation of the USSR and the Union Republics*, Moscow, Progress Publishers, 1974, pp. 15-16 and 39-40. Also, see Zigurds L. Zile, "Soviet Struggle for Environmental Quality: The Limits of Environmental Law Under Central Planning," in Donald D. Barry, et al., Eds., *Contemporary Soviet Law: Essays in Honor of John N. Hazard*, The Hague, Martinus Nijhoff, 1974, pp. 124-57.

For recent Soviet perspectives on international law, see G. I. Tunkin, *Theory of International Law,* tr. by William E. Butler, Cambridge, MA, Harvard University Press, 1974, especially Chs. 2 and 3. Tunkin is a former diplomat and the leading Soviet scholar on international law.

On labor legislation, see the Fundamental Principles of Labor Legislation, in *Fundamentals of Legislation of the USSR*, p. 91. On the labor law reforms generally, see A. K. R. Kiralfy, "Soviet Labor Law Reform Since Stalin," in Barry et al., Eds., *Contemporary Soviet Law*, pp. 158-74.

[14] Nikita S. Khrushchev, "The Crimes of the Stalin Era—Special Report to the 20th Congress of the Communist Party of the Soviet Union," *The New Leader* (New York, NY), Supplement, July 16, 1956, p. s63.

[15] Although, as we shall see, this is not the case with respect to the Soviet Union's political, religious, ethnic, and cultural dissidents. See M. S. Strogovich, "On the Rights of the Individual in Soviet Criminal Procedure," *Sovetskoye gosudarstvo i pravo*, No. 10, October 1976, pp. 73-81, and translated in *Soviet Review* (White Plains, NY), Vol. 18, No. 2, Summer 1977, pp. 3-17. On civil process, see Donald D. Barry, "The Specialist in Soviet Policy-Making: The Adoption of a Law," *Soviet Studies* (Glasgow), October 1964, pp. 152-65; and Whitmore Gray, "Soviet Tort Law: The New Principles Annotated," *University of Illinois Law Forum* (Champaign, IL), Spring 1964, pp. 180-211.

[16] On the duality of legality and extra-legality, see Robert Sharlet, "Stalinism and Soviet Legal Culture," in Tucker, Ed., *Stalinism*, pp. 155-79.

[17] The "state law" school continues to be heavily represented in the Soviet academic legal establishment, although the late Professor A. I. Lepeshkin was probably its most influential spokesman. His *Kurs Sovetskogo gosudarstvennogo prava* (A Treatise on Soviet State Law), Vol. 1, Moscow, Yuridicheskaya literatura, 1961, was a basic reference in the debate that emerged in the early 1960's. The early leader of the "constitutionalists" was the late V. F. Kotok who broke new ground in contemporary Soviet jurisprudence with his introductory essay to the book he edited with N. P. Farberov, *Konstitutsionnoye pravo sotsialisticheskikh stran* (Constitutional Law of the Socialist States), Moscow, Akademiya Nauk SSSR, 1963. Kotok's article was sharply criticized in the legal press and at a special meeting of the faculty and graduate students of the Department of State Law and Soviet Construction at Moscow University Law School (*continued on page 6*)

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function, recording and legitimating the changes in state structure as they occur.

The "constitutional law" school, which for years was in a decided minority within the Soviet legal profession, asserts that the traditional approach tends to reduce the Constitution to a mere sociopolitical mirror while neglecting its normative potential. In contrast, this side proposes that the Constitution be conceptualized as both a reflective *and* a programmatic instrument. The latter function would incorporate the Communist Party's ideological and policy goals into a more open-ended, future-oriented document. The "constitutionalists" also insist that their perspective would better facilitate the constitutional elaboraton of the citizen's increased rights and duties, which have found legislative expression in the context of the changing post-Stalin relationship between state and individual.

The "constitutional" school seems to have prevailed[18]—at least to the extent that the proposed Constitution includes greater programmatic content in comparison with the 1936 version. A further "constitutionalist" contribution may be the Draft's greater emphasis on the sociopolitical, economic, and legal status of the Soviet citizen and the explicit correlation of the state's powers with its corresponding obligations to the citizen and vice versa.

To be sure, the party leadership intends to use the post-Stalin Constitution as a stable and orderly framework through which to govern the increasingly differentiated and specialized socioeconomic system, while at the same time reserving for itself the inherent power of dictatorship to bypass the "legal state" by resorting to ad hoc, extra-legal action when it thinks appropriate. Yet, in addition to providing a general legal policy that fixes the boundaries and functions of the social regulation processes in higher law, the new Soviet Constitution itself contains the seeds of a major party metapolicy—that is, a set of goals and rules of behavior, given normative value and with system-wide and not merely legal ramifications.[19]

A Soviet "Systems" Approach

As expressed by Soviet political and legal commentators, a major purpose of the new Soviet Constitution is to reflect the infrastructure of the Soviet system now, after 60 years of development. In particular, this means recording in constitutional language the most important and enduring political, legal, socioeconomic, and doctrinal changes since promulgation of the 1936 Constitution, and especially following Stalin's death. In this connection, the more dynamic, "systems" approach to sociopolitical structure that is contained in Part I of the Draft (Arts. 1-32) stands in decided contrast to the static, state-society formula of its predecessor.

Western-style "systems analysis" has come into vogue in the Soviet social sciences in recent years, although its reception in jurisprudence is still in its formative stage. In its legal context, the "systems" approach stems from post-Khrushchevian recognition of the distinction between the state (*gosudarstvo*) and the political system (*politicheskaya organizatsiya sovetskogo obshchestvo*).[20]

The Draft Constitution's description of the whole

during the academic year 1963-64. The next major position statement of the "constitutional law" school was I. E. Farber and V. A. Rzhevskiy's *Voprosy teorii Sovetskogo konstitutsionnogo prava* (Theoretical Questions of Soviet Constitutional Law), No. 1, Saratov, Saratovskiy yuridicheskiy institut, 1967. For a subsequent statement of the orthodox position, see B. V. Shchetinin, *Problemy teorii Sovetskogo gosudarstvennogo prava* (Theoretical Problems of Soviet State Law), Part I, Moscow, Yuridicheskaya literatura, 1969, and Part II, published in 1974. Compare this to the latest and most authoritative statement of the "constitutionalists," Rusinova and Ryanzhin, *Sovetskoye konstitutsionnoye pravo*, op. cit. For an account of the unfavorable reception which this last study received at a special meeting of legal scholars, held under the auspices of the Department of State Law and Soviet Construction at Moscow University Law School in February 1976, see N. A. Mikhaleva, "The Discussion of the Book *Soviet Constitutional Law*," *Vestnik Moskovskogo Universiteta: Pravo* (Moscow), July-August 1976, pp. 86-90. The rapporteur is a member of the "state law" school. For a Western article which points out the Rusinova and Ryanzhin volume's implications for the process of Soviet constitutional reform, see Christopher Osakwe's review essay in *Tulane Law Review* (New Orleans, LA), Vol. 51, 1977, pp. 411-22.

[18] In spite of the already noted hostile reaction to the constitutionalists' latest statement, the author has been told by a reliable source that even before publication of the new Draft Constitution, several leading representatives of the "old guard" had conceded privately, albeit reluctantly, that the concept of "constitutional law" had won the day in Soviet jurisprudence. If this in fact is the case, the "victory" should soon be consolidated by changes in law school curricula, and, eventually, the disciplinary/departmental name "state law" should be at least supplemented with the phrase "constitutional law."

[19] For a conceptual analysis of metapolicy and ad hoc action as legal policy, see Robert Sharlet, "Soviet Legal Policymaking: A Preliminary Classification," in "Special Issue on Law and Society: Comparative Perspectives," *Sociological Inquiry* (Urbana, IL), Vol. 47, Nos. 3-4, 1977, forthcoming.

[20] See, e.g., V. M. Chkhikvadze et al., Eds., *Politicheskaya organizatsiya Sovetskogo obshchestva* (The Political Organization of Soviet Society), Moscow, Nauka, 1967; and M. N. Marchenko, *Demokraticheskiye osnovy politicheskoy organizatsii Sovetskogo obshchestva* (The Democratic Principles of the Political Organization of Soviet Society), Moscow, Izdatel'stvo Moskovskogo Universiteta, 1977.

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Soviet system therefore delineates a dominant political system (Chapter 1), together with social and economic subsystems (Chapters 2 and 3). This framework implies a possible concession of at least some developmental autonomy for social and economic patterns in Soviet society. And it may suggest a perceptible change in stress, from a political system which is essentially transformist, to one which is more explicitly regulative.[21] The introduction of a new article which appears to advance the notion of "political culture" (Art. 8) stands in support of this interpretation.[22] Moreover, Chapter 4, which describes the functions of the Soviet system in the international environment (foreign policy), and Chapter 5, which describes the functions of defending the Soviet system from possible threats in the international environment, suggest extension of the "systems" model to a global scale.

One particularly notable feature of the post-Stalin "political system" is doctrinal evolution from the "dictatorship of the proletariat" to "the state of the whole people." Although Soviet jurists have failed to conceptualize this notion clearly since it first emerged under Khrushchev, the "state of the whole people," to a large extent, remains today—as earlier—a political metaphor signaling the leadership's interest in greater participation in the implementation of the party's policies by both mass organizations (Art. 7) and the public in general (Art. 5).[23] These participatory declamations are in turn operationalized in Articles 111 and 112, which provide, respectively, for legislative initiative by mass organizations and for general discussion of draft legislation by the public as a whole. With regard to both, however, the new Constitution merely confirms existing practice.

Chapter 1 also includes a clause on the legal subsystem, a reference which points to another of the major changes in the post-Stalin period. The 1936 Constitution included a statement of the citizens' duty to obey the law,[24] but the present document requires both the citizen (Arts. 59 and 65) and the state (Arts. 4 and 57) to observe the requirements of "socialist legality." Of course, the state's obligation to observe the law gives first priority to its function of protecting "law and order," a key slogan of the Brezhnev period.[25]

Finally, Article 6 in Chapter 1 makes explicit a party-dominant political system. The Communist Party, which was mentioned twice in the 1936 Constitution and only in connection with the rights of mass organizations,[26] has been institutionalized in the new Constitution as "the leading and directing force of Soviet society, the nucleus of its political system"—finally in accord with its actual role during the past decades of Soviet history. Since the Preamble declares that the Soviet system will strive to build communism in the future, the party's role is described in the more functional terms of serving as the guiding source for the domestic and foreign policy of the USSR.

The chapter on the economy describes the same infrastructure of public and personal economy set forth in the 1936 Constitution but also consolidates those structural changes associated with post-Stalin economic development.[27] Thus, Article 9 of the 1936 Constitution permitted the "small-scale private economy" of individual peasants and handicraftsmen; the corresponding Article 17 of the 1977 Draft Constitution allows "individual labor activity" (*individualnaya trudovaya deyatel'nost'*) in the delivery of "consumer services for the population."[28]

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[21] In a seminal essay written nearly a decade ago, Richard Lowenthal argued that advancing socioeconomic modernization seems to make this shift inevitable. See his "Development versus Utopia in Communist Policy," in Chalmers Johnson, Ed., *Change in Communist Systems*, Stanford, CA, Stanford University Press, 1970, pp. 33-116. For his recent analysis of the dilemmas which modernization creates for one-party systems, see "The Ruling Party in a Mature Society," in Mark Field, Ed., *Social Consequences of Modernization in Communist Societies*, Baltimore, MD, The Johns Hopkins University Press, 1976, pp. 81-118.

[22] Article 8 reads: "Further development of socialist democracy constitutes the basic direction in the evolution of the political system of Soviet society: [that is] the ever wider participation of working people in the management of the affairs of society and government; the improvement of the state apparatus; a heightening of the activeness of public organizations; the strengthening of the people's control; the reinforcement of the legal foundations of state and public life; the expansion of publicity; [and] the continual regard for public opinion."

[23] See Roger E. Kanet, "The Rise and Fall of the 'All-People's State': Recent Changes in the Soviet Theory of the State," *Soviet Studies*, July 1968, pp. 81-93. Years of doctrinal paring have stripped the Khrushchevian concept of its emphasis on the "withering away" of the state through the transfer of selected state functions to mass organizations of "social self-government." The contemporary concept merely envisions limited democratization of the Soviet political system through a somewhat greater participation of mass social organizations as collective entities. See, e.g., B. N. Topornin, "The All-People's State and Socialist Democracy," *Pravovedeniye* (Leningrad), March-April 1975, pp. 7-17.

[24] See Stalin Constitution, Art. 130.

[25] See Peter H. Juviler, *Revolutionary Law and Order: Politics and Social Change in the USSR*, New York, NY, Free Press, 1976, pp. 85-116.

[26] See Stalin Constitution, Arts. 126 and 141.

[27] Cf. ibid., Arts. 4-12.

[28] I am indebted to Professor John Hazard of Columbia Law School for alerting me to this change of wording, as well as for several other helpful suggestions in connection with this article.

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Trade union property has been added as a type of "socialist property" (Art. 9). This, of course, had been its de facto status for many years, a situation recognized formally in the 1961 Fundamental Principles of Civil Legislation. The planning clause (Art. 15) incorporates some of the features of "Libermanism" and the 1965 economic reforms with its reference to the "economic independence and initiative of enterprises, associations, and other organizations" and its explicit bow to the importance of profits, costs, and *khozraschët* (economic accountability). Article 18 declares the state's commitment to the protection and rational utilization of the environment, an injunction of both reflective and programmatic dimensions.

More purely programmatic is the consumption and labor productivity clause (Art. 14), which earmarks social production (*obshchestvennoye proizvodstvo*) for the satisfaction of people's wants and needs and charges the state with the task of raising labor productivity in order to fulfill this commitment. The prominence accorded consumer needs in Articles 13 and 14 of the Draft constitutes a marked departure from the corresponding passage in the "Stalin Constitution," which placed relatively greater stress on economic growth.[29] Both the socialist emulation or competition technique, "inspired" by Stakhanov in the 1930's, and the more recently launched "scientific-technological revolution" are invoked in quest of higher labor productivity. In view of the questionable effectiveness of the former technique and widespread doubts regarding Soviet capacity to stimulate and manage innovation, Article 14 is likely to remain more programmatic than "reflective" for some time.[30]

Finally, the 1936 exhortation to work has been softened somewhat in the new Constitution (Art. 13) but nonetheless ends on a phrase which maintains the spirit of the anti-parasite legislation: *"socially useful* labor and its results shall determine a citizen's status in society" (italics added).[31] This impression is strengthened by the more exhortative "rights and duties" section (Art. 60), in which "conscientious labor in one's chosen field of socially useful activity" is described as both a duty and a "matter of honor."

The chapter on the social subsystem consists largely of a set of programmatic directional signs on the road to communism, as Brezhnev acknowledged in his plenum Report. Included are commitments to the enhancement of social homogeneity (Art. 19), the eventual abolition of manual labor through mechanization (Art. 21), and the development of consumer services (Art. 24)—all in connection with the long-standing commitment to encourage development of the "new man" (Art. 20). These social articles in the 1977 Constitution give rise to a sense of *déjà vu*—the rhetoric is reminiscent of Khrushchev's 1961 Party Program, minus the detail and accompanying timetable for the realization of specified goals.[32]

The short chapters on foreign policy and defense contain a mix of reflective and programmatic elements but basically proceed from recognition of the fact that the Soviet Union has emerged as a superpower. There is here, too, a degree of continuity with the 1961 Party Program, particularly in the clauses on peaceful coexistence (Art. 28) and socialist (read "proletarian") internationalism (Art. 30).[33] Absent, in comparison with the earlier document, are the repeated references to world capitalism and imperialism and the spirit of competition with the West. Article 29 essentially incorporates the Helsinki principles. At the same time, the socialist internationalism clause has been written broadly enough to accommodate both the Brezhnev doctrine and Soviet leadership of the Council for Mutual Economic Assistance (CMEA).[34] The defense clauses offer a straightforward elaboration of the state's defense function that was described in the 1936 Constitution.[35] In addition, the state's defense functions and foreign policy objectives have been sup-

[29] Cf. Stalin Constitution, Art. 11.

[30] See *Sotsialisticheskoye sorevnovaniye v SSSR 1918-1964* (Socialist Competition in the USSR, 1918- 1964), Moscow, Profizdat, 1965, pp. 127-40 and Part Three. Also see Erik P. Hoffmann, "The 'Scientific Management' of Soviet Society," *Problems of Communism*, May-June 1977, pp. 59-67; and Robert F. Miller, "The Scientific-Technical Revolution and the Soviet Administrative Debate," in Paul Cocks, Robert V. Daniels, and Nancy Whittier Heer, Eds., *The Dynamics of Soviet Politics*, Cambridge, MA, Harvard University Press, 1976, pp. 137-55.

[31] Cf. Stalin Constitution, Art. 12. See also R. Beermann, "The Parasite Law in the Soviet Union," *British Journal of Criminology* (London), Vol. 3, 1962, pp. 71-80.

[32] See "The 1961 Programme of the Communist Party of the Soviet Union," in Jan F. Triska, Ed., *Soviet Communism: Programs and Rules*, San Francisco, CA, Chandler, 1962, esp. Part Two, pp. 68-122.

[33] Ibid., pp. 35-39 and 63-67.

[34] Article 29 includes "Basket Three," or the human rights principles, of the Helsinki document. Cf. "Conference on Security and Cooperation in Europe: Final Act," *The Department of State Bulletin*, Washington, DC, US Government Printing Office, Sept. 1, 1975, pp. 323-50. From Soviet perspective, these principles must be looked at within the context of Part II of the Draft Constitution, on "The State and the Individual." The "Brezhnev doctrine" is covered in Article 30 in the guise of "comradely mutual assistance."

[35] Cf. Stalin Constitution, Art. 14.

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plemented by the citizen's military obligation (Art. 63), the more diffuse duty "to safeguard the interests of the Soviet state and to help strengthen its might and prestige" (Art. 62), and a still vaguer "internationalist duty" (Art. 68).

The Citizen and the State

The second main purpose of the new Constitution is to define the relationship between the state and the individual. This relationship can be divided, for analytic purposes, into the citizen's economic, civil, and participation rights and duties.

Economic rights. The economic rights need only brief review, since they are the same rights as those of the 1936 Constitution, albeit with a few additions and amplifications.[36] A constitutional guarantee of housing (Art. 44) and the right to use the achievements of culture (Art. 46) have been added, while the 1936 Article on economic security has been expanded and divided in the Draft into two articles on health protection (Art. 42) and old age maintenance (Art. 43). The right to work also has been enlarged to include the freedom to choose one's profession, occupation, or employment, provided the choice is consistent with society's needs (Art. 40), a constitutional "right" made possible by the higher level of economic development and general affluence of Soviet society today as compared with life in the mid-1930's. Indeed, while many of the economic rights were programmatic when first included in the "Stalin Constitution," they are now, for the most part, simply reflective of a highly developed welfare state.[37]

At the same time, the economic rights of the Soviet citizen are balanced by a basic economic "duty," also carried over from the 1936 Constitution. In this connection, the citizen's obligation to protect socialist property has been reaffirmed, although in destalinized form—that is, public property is no longer described as "sacred and inviolable," and persons who commit property crimes are no longer castigated as "enemies of the people."[38] The property protection clause already is amply supported in the criminal codes of the various union republics. Yet, in view of the extent of economic crime and the scale of the "second economy" or "parallel market," it would seem fair to predict that countless Soviet citizens, from factory workers to enterprise directors, will continue to disregard this constitutional injunction.

Civil liberties. The civil rights clauses of the new Constitution, which should be judged together with the sections on justice (Chapter 20) and the Procuracy (Chapter 21), reveal much more about the citizen's status vis-à-vis the state and provide further evidence for assessing the current scope and limits of destalinization. Most important, the basic civil rights continue to be limited by the standard caveat that the rights of speech, press, association, assembly, public meetings, and demonstration are guaranteed to the citizen only "in conformity with the working people's interests and for the purpose of strengthening the socialist system" (Arts. 50-51).[39] The same preference for the social over the individual interest also limits the new civil right of "freedom of scientific, technical, and artistic creation" (Art. 47). In fact, the new Constitution has two additional paragraphs that further emphasize the social limits on the citizen's rights to exercise his economic rights and his civil liberties. In the article introducing Chapter 7, on the "Basic Rights, Liberties, and Duties of USSR Citizens," Soviet citizens first are granted the "whole range of social, economic, political and personal rights and liberties" which follow—but under the condition of the closing injunction which points out that the "exercise of rights and liberties by citizens must not injure the interests of society and the state or the rights of other citizens" (Art. 39). The predominence of the prevailing social interests is reinforced in the "duty to obey" clause (Art. 59). The spirit and some of the language of this clause incorporate most of the antecedent article from the 1936 Constitution,[40] although with an added phrase stressing the nexus between citizens' rights and their social obligations: "the exercise of rights and liberties is inseparable

[36] Cf. ibid., Arts. 118-22.

[37] In a recent session at the Kennan Institute (Washington DC) devoted to a discussion of the Draft Constitution, Professor Moshe Lewin characterized the cluster of economic and other rights as descriptive of a "super welfare state," based on an obligation to work. For the details of Soviet health care legislation, see the Fundamental Principles of Health Legislation of 1969 in *Fundamentals of Legislation of the USSR*, pp. 62-88. The new article on old age maintenance has been elaborated in practice by a developing body of pension law. See, for example, M. L. Zakharov, Ed., *Sovetskoye pensionnoye pravo* (Soviet Pension Law), Moscow, Yuridicheskaya literatura, 1974.

[38] See Stalin Constitution, Art. 131.

[39] Cf. ibid., Arts. 125-26.

[40] Cf. ibid., Art. 130.

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from the performance by citizens of their duties." Again, as with much of the Constitution's content, this concept of linkage does not represent an innovation in Soviet law. Moreover, it is relevant to all of the citizen's rights and obligations and is not addressed exclusively to the criminal justice process.[41]

Turning now to the position of the individual in the criminal justice system, we find that the most significant aspects of post-Stalin legislation on criminal law and procedure also have been incorporated into the Draft Constitution. From arrest through appeal, the position of the individual in the Soviet criminal justice process has been considerably strengthened since enactment of the all-union Fundamental Principles of Criminal Procedural Legislation in 1958.[42] A Soviet "due process" in *ordinary* (nonpolitical) criminal cases has developed and survived leadership turnover and the vicissitudes of Soviet politics.[43] For the vast majority of individual citizens, this may have been the most important and durable accomplishment of destalinization.

Much of this change, of course, arose from post-Stalin reaction to the conditions of official lawlessness and terror that prevailed at the time of the adoption of the 1936 Constitution and that continued, though significantly reduced in scale, up to and even after Stalin's death in 1953. Although the current personal inviolability clause (Art. 54) resembles its 1936 antecedent, the injunction against arrests without either court order or approval of a procurator is now grounded in the operative legislation and codes on criminal procedure as well as in actual post-Stalin Soviet practice.[44] After the arrest, contemporary Soviet justice is, in fact, "administered solely by the courts" (Art. 150). The judiciary clause in the new Constitution is far more explicit in this respect than its predecessor and is firmly based on the Fundamental Principles of Legislation on the Court System of 1958. At the same time, neither the current clause nor the Fundamentals mention the existence of "special courts" which were acknowledged in the 1936 Constitution and which still exist.[45]

Once in court, the contemporary Soviet defendant, in theory and for the most part in practice, enjoys equality "before the law and the court" (Art. 155). In practical terms, the class approach to justice, characteristic of revolutionary Marxist legal theory, was generally abandoned in the late 1930's.[46] Still, it is doubtful that all Soviet citizens do, in fact, enjoy equal standing before the court "regardless of their social" or "official status," for in most legal systems, there often is an unacknowledged differential of treatment based on status, however it may be measured in a particular society.

The citizen's right to defense has also been strengthened in the new Constitution in accordance with previous legislative development. The 1936 Constitution contained a "right to defense" clause, the language of which is nearly the same as that of the current clause (Art. 157). But the right to defense is now supported by constitutional recognition

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[41] The author believes it is misleading to describe the "linkage" of rights and duties as the regime's "answer" to the dissidents. For an argument in this direction, see "New USSR Draft Constitution," *International Commission of Jurists Review* (Geneva), June 1977, p. 30. Rather, the nexus of rights and duties is a general principle in contemporary Soviet legislation. See, e.g., the Land Fundamentals, Art. 11, and the Civil Fundamentals, Art. 5, in *Fundamentals of Legislation of the USSR*, pp. 15-16 and 153-54, respectively.

[42] Ibid., pp. 271-99. See also, John Gorgone, "Soviet Jurists in the Legislative Arena: The Reform of Criminal Procedure, 1956-1958," *Soviet Union* (Pittsburgh, PA), Vol. 3, Part 1, 1976, pp. 1-35; and Harold J. Berman's Introduction to Berman and James W. Spindler, Eds., *Soviet Criminal Law and Procedure: The RSFSR Codes*, 2nd ed., Cambridge, MA, Harvard University Press, 1972, esp. pp. 47-70 and 84-89.

[43] See Christopher Osakwe, "Due Process of Law Under Contemporary Soviet Criminal Procedure," *Tulane Law Review*, January 1976, pp. 266-317. Nine such "cases" are translated by Harold Berman in *Soviet Statutes and Decisions* (White Plains, NY), Summer 1965, pp. 5-41. Numerous others are translated in John N. Hazard, Issac Shapiro, and Peter B. Maggs, Eds., *The Soviet Legal System: Contemporary Documentation and Historical Commentary*, rev. ed., Dobbs Ferry, NY, Oceana, 1969, Ch. 7. A new, updated edition of the latter is forthcoming in 1977.

[44] Cf. Stalin Constitution, Art. 127. See also the Criminal Procedural Fundamentals, Art. 6, in *Fundamentals of Legislation of the USSR*, p. 274; the RSFSR Criminal Procedure Code, Art. 11, in Berman, *Soviet Criminal Law and Procedure*, p. 209; Berman's analysis of the personal inviolability articles in Ibid., pp. 48-50; and the Bortkevich case in Hazard et al., *The Soviet Legal System*, pp. 99-100.

[45] See Stalin Constitution, Art. 102. The "special courts" were transportation courts with jurisdiction over criminal offenses that took place on the railway and water transport system. They were abolished in the post-Stalin era and are not mentioned in the Fundamental Principles of Legislation on the Court System. See *Fundamentals of Legislation of the USSR*, Art. 1, p. 137. On contemporary "special courts" which have special legal personnel and jurisdiction over individuals engaged in classified work, see Yury Luryi, "The Admittance of the Defence Counsel to Common Criminal (Non-Political) Cases in Soviet Criminal Procedure as the Most Essential Part of the Right of the Defendant for Defence," paper read at the annual meeting of the American Association for the Advancement of Slavic Studies (AAASS), St. Louis, MO, Oct. 7, 1976.

[46] On the class approach to justice and its abandonment, see John N. Hazard, "Reforming Soviet Criminal Law," *Journal of Criminal Law and Criminology* (Baltimore, MD), July-August 1938, pp. 157-69.

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A defendant in a Soviet criminal case is addressed during his trial by the judge.

—Lev Nisnevitch/Liaison.

of the collegia of defense attorneys and by the right of mass organizations to assign a "social defender" to a case in support of one of its members (Art. 161).[47] To be sure, the defense bar has existed for a long time, and the institution of citizen defenders is rooted in the earliest days of Soviet legal history.[48] At the same time, the regime evidently has chosen to install these well-known institutions in the new Constitution as reaffirmation of the post-Stalin commitment to the Soviet version of due process. In this context, the "open court" clause (Art. 156), a carryover from the Stalin Constitution, is now more meaningful and less frequently violated.[49]

The judiciary's constitutional monopoly over the administration of justice is explicitly reinforced in a clause that reflects post-Stalin dissolution of the notorious "special boards."[50] The constitutional declaration that "no one can be adjudged guilty of committing a crime and subjected to criminal punishment other than by the verdict of a court and in accordance with criminal law" is both a reminder of and a response to the extralegal traditions of Stalinism as well as one of several "signals" in the current document that there will be no return to, what Brezhnev himself called in his May plenum Report, "the illegal repressions" that "darkened" the years following ratification of the 1936 Constitution.[51] Although the clause assuring judicial independence (Art. 154) still is liable to the party's contravention, there have been some indications, if difficult to document, that direct party interference in the work of the judiciary has abated since the

[47] Cf. Stalin Constitution, Art. 111. For analysis of the changing status of the Soviet defense counsel, see Jean C. Love, "The Role of Defense Counsel in Soviet Criminal Proceedings," *Wisconsin Law Review* (Madison, WI), No. 3, 1968, pp. 806-900; and Lawrence M. Friedman and Zigurds L. Zile, "Soviet Legal Profession: Recent Developments in Law and Practice," ibid., No. 1, 1964, pp. 32-77. The mass organizations may also assign a "social accuser" to assist a procurator in a criminal case. For a brief analysis of both social accusers and defenders, see Berman, *Soviet Criminal Law and Procedure*, pp. 69-70.

[48] See John N. Hazard, *Settling Disputes in Soviet Society: The Formative Years of Legal Institutions*, New York, NY, Columbia University Press, 1960, pp. 34-35, 47-49, 159-62.

[49] The "open court" clause specifies: "The examination of cases in all courts is open. The hearing of cases in closed courts is permitted only in instances provided for by law, and then with the observance of all of the rules of judicial procedure."

[50] Harold J. Berman, *Justice in the USSR*, rev. ed., Cambridge, MA, Harvard University Press, 1963, p. 70.

[51] *Pravda*, June 5, 1977, p. 1.

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Stalin years.[52] On the other hand, the individual's relationship to the state also has been at least somewhat clarified following destalinization of the Procuracy in 1955. Article 163 reflects in constitutional law the Procuracy's fully restored responsibility for overseeing compliance with the law—by institutions, organizations, officials, and ordinary citizens—and thus underscores the leadership's concern for administrative legality as part of a long-range effort to raise the public's legal consciousness and build a viable "legal culture" through which the party can insure that both the state and the individual observe the laws which express the party's policies.[53]

Collectively, these Draft constitutional clauses appear to codify a significant stabilization in contemporary legislation and legal practice of the relationship between the individual and the state in Soviet society, particularly in the criminal justice process. Although many of Khrushchev's reforms have been repealed by the Brezhnev leadership, the policy and legislative commitment to "due process" for the criminal defendant has been maintained and even strengthened to some extent through the development of a body of "case law." [54]

With respect to the tiny minority of activist dissidents, however, both the personal security clauses and the formal rights accorded criminal defendants have been sorely abused by the regime, especially since the Sinyavskiy-Daniel' trial in early 1966.[55] In the endless stream of dissident cases reported in *samizdat,* there have been numerous recorded violations of the inviolability of the home (Art. 55) and of the confidentiality of correspondence and telephone conversations (Art. 56). In recent years, incidents of intimidation, mugging, physical assault, and, in a few instances, death under mysterious circumstances—all believed to have been provoked or even perpetrated by KGB personnel in mufti—indicate that for dissidents the "right to legal protection against threats against life and health, property and personal freedom, and honor and dignity" (Art. 57) is, for all practical purposes, a dead letter. If, as is often the case, the bureaucratic harassment and administrative actions directed against dissidents have led to criminal prosecution for either a political offense or an ordinary crime, the dissident defendant routinely finds his due process rights violated both in the preliminary investigation and during the subsequent trial. In fact, the constitutional due process clauses in the present document are frequently inverted to the disadvantage of the dissenter. Instead of executing his responsibility to legally prevent the official capriciousness experienced by dissidents (Art. 163), the procurator usually shares complicity. Rather than benefit from a strengthened right to defense (Art. 157), the dissident's right to choose a defense counsel generally is subject to KGB interference and is frequently abridged. Finally, instead of enjoying equality before the law and the court (Art. 155), the dissident is classified as a "political case" and subjected systematically to a pattern of discrimination by the legal personnel formally involved and by the party and KGB officials who may discreetly direct the administration of political justice from behind the scenes. In effect, as Harold Berman has aptly pointed out, in political cases "socialist legality" breaks down into its constituent parts—socialism versus legality.[56]

The dissidents' response to the regime's political justice has been to put up a "legalist" defense, con-

[52] Except for "political" cases, in which *partiynost'* (party-mindedness) routinely supersedes *zakonnost'* (legality), the following statement by a Soviet university lecturer seems to characterize the administration of justice in the post-Stalin period: "The party organs oversee the selection, placement, and ideological education of juridical cadres. But, at the same time, any kind of interference in the administration of justice in specific cases is absolutely ruled out." *Pravda*, Aug. 19, 1977, p. 3. See also the author's review of Samuel Kucherov's *The Organs of Soviet Administration of Justice* in *Columbia Law Review* (New York, NY), Vol. 71, No. 7, November 1971, esp. pp. 1346-48.

[53] See Stalin Constitution, Art. 113. The corresponding passage in the 1977 Draft is more specific and emphatic and appears at the beginning of a separate chapter on "The Procuracy" (Ch. 21). For a history of the Procuracy's functions under Stalin, see Glen G. Morgan, *Soviet Administrative Legality: The Role of the Attorney General's Office,* Stanford, CA, Stanford University Press, 1962, pp. 76-126.

[54] See the 13 cases analyzed in Christopher Osakwe, "Due Process of Law and Civil Rights Cases in the Soviet Union," in Donald D. Barry, George Ginsburgs, and Peter B. Maggs, Eds., *Law Reform Under Khrushchev and Brezhnev*, Leiden, A. W. Sijthoff, forthcoming. Even in ordinary (nonpolitical) cases, however, a "major retreat of the due process function in favor of the crime control function" has taken place at least temporarily during the various anti-crime campaigns under Khrushchev and Brezhnev. See Stanislaw Pomorski, "Criminal Law Protection of Socialist Property in the USSR," in ibid.

[55] See Max Hayward, Ed., *On Trial: The Soviet State versus 'Abram Tertz' and 'Nikolai Arzhak'*, rev. and enlarged ed., New York, Harper and Row, 1967. See also Robert Sharlet, "Dissent and Repression in the Soviet Union," *Current History* (Philadelphia, PA), forthcoming in October 1977.

[56] Harold J. Berman, "The Educational Role of Soviet Criminal Law and Civil Procedure," in Barry et al., *Contemporary Soviet Law*, pp. 14-16. The literature on violations of dissidents' rights is voluminous. See, e.g., Christopher Osakwe, "Due Process of Law and Civil Rights Cases in the Soviet Union," loc. cit., for a detailed and systematic analysis of the due process violations reported in political cases; and *A Chronicle of Human Rights in the USSR* (New York, NY) for continuing unofficial documentation of Soviet political "justice."

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Friends and sympathizers of Andrey Tverdokhlebov, Soviet human rights activist, are barred from the People's Court of Moscow's Lyublinskiy Ward on April 15, 1976, when Tverdokhlebov was reportedly sentenced to five years' exile for his activities. Only members of his family were admitted to the courtroom.

—Wide World.

fronting the judges and prosecutors in an orderly fashion with a detailed and documented account of the violations of their due process rights.[57] In their "pretrial motions," their traditional "final word" to the court, and in the post-incarceration protests, dissidents caught up in criminal process and their supporters "replay" the law to their persecutors, citing the appropriate code articles, fundamental principles, and even constitutional clauses which the legal cadres and their mentors have violated. The legalist defense has not won any cases for dissenters. But, in using it, political defendants have succeeded repeatedly in indicting the regime and putting it "on trial" in the court of Western public opinion.

It is doubtful that the Draft's strengthened emphasis on the "public interest" will discourage significantly the "legalist" defense. The injunction against injuring one's fellow citizens and the society in the exercise of one's rights (Art. 39) and the "rights and duties" clause (Art. 59) are neither specially designed for dissidents nor exclusively relevant to criminal law. At best, these additional caveats merely reinforce the constitutional legitimacy of bringing political prosecutions against dissidents who have chosen to exercise their civil rights in contradiction to the officially defined social and political interests (Arts. 50 and 51). Still, assuming that the dissident or even an ordinary Soviet citizen failed to perform his duties and damaged the social interest (Arts. 59 and 39), there is nevertheless no constitutional mandate in either clause for denying that person the rights of personal security and due process that are incorporated into existing Soviet law on criminal procedure. That is, commission of a political offense does not waive an individual's right to due process as provided under the new Soviet Constitution. Yet what the regime does in practice in such cases is another matter. The legalist defense, focusing as it does on procedural violations, may be expected to continue in the future, with similar outcomes for both the dissidents and the regime's image abroad.

Participatory rights. The Soviet citizen's economic rights and civil liberties have been supplemented in the new Constitution by an increased emphasis on his participatory rights. In theory, this is a result of the transition from a proletarian dictatorship to a "state of the whole people" (Art. 1). In structural terms, a greater scope and opportunity for citizen involvement in public life is outlined in the political and economic chapters of the Constitution reviewed above. The individual's specific participatory rights may be viewed as giving practical meaning to this enlargement of participatory space in the Soviet system. In general, the participatory rights are to be exercised mainly in the broad process of *policy implementation,* while the opportunity for greater citizen input into the *policy-making* process, as presented in the new Constitution, is confined at most to the arena of local government.

Thus, the new Constitution guarantees to the citizen the general right of public participation (Art. 48); the right to submit proposals and to criticize with impunity the performance of government agencies (Art. 49); the right to lodge complaints against public officials and, in some cases, to seek judicial

[57] For recent examples of the "legalist" strategy see Valery Chalidze, *To Defend These Rights: Human Rights and the Soviet Union*, New York, NY, Random House, 1974; and the "legalist" analyses of Soviet constitutional law, prior to publication of the Draft Constitution, by Henn-Juri Uibopuu and Alexander Volpin in Leon Lipson and Valery Chalidze, Eds., *Papers on Soviet Law*, New York, NY, Institute on Socialist Law, 1977, pp. 14-51 and 52-107, respectively.

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remedy (Art. 58); and the right to sue government agencies and public officials for tort liability incurred by illegal actions causing the citizen-plaintiff damage (Art. 58).[58] In regard to the citizens' slightly increased opportunities for participating in local policy-making, Chapters 14 and 19 of the Draft Constitution codify those post-Stalin changes in state law (*gosudarstvennoye pravo*) associated with the growth of the responsibilities of local soviets and of the powers of their deputies. In the spirit of the "all-people's state," the soviets of "working people's deputies" have been renamed soviets of "people's deputies" (Art. 88). And, consistent with the increased interest in citizen participation which began under Khrushchev and continues under Brezhnev, the new Draft Constitution was published in June 1977 for nationwide public discussion, as stipulated in its discussion clauses (Arts. 5 and 112).

Participation and Public Discussion

At midpoint in the nationwide public discussion, it was clear that the Draft Constitution was headed for ratification. Before the Draft had even been published, Brezhnev in his address to the May plenum referred to the document several times in a way which seemed to forecast ratification sometime this fall. He considered in detail some of the problems involved in "implementation of the new Constitution," and he ended his Report on the reassuring note that "the adoption of the new USSR Constitution will be an important milestone in the country's political history."[59] Brezhnev's confidence about the prospects for ratification soon was echoed in lead editorials and the speeches of senior party leaders

A deputy of a rural rayon soviet talks with his constituents on a collective farm in the Chuvashskaya ASSR, located along the Volga River in the Russian Federation.

—Alexander Uzlian.

at meetings of major party organizations and at sessions of the union republic supreme soviets.[60] In a published interview with a Japanese correspondent several days after the public discussion began, Brezhnev again stressed the importance he attaches to ratification, remarking that the "adoption of the new Constitution" will have great significance not only at home but abroad as well.[61]

With ratification thus a foregone conclusion, Brezhnev and the party leadership set the stage for a carefully planned, well orchestrated public "discussion" of the Draft during the summer and early fall. Enjoined by Brezhnev to take the lead in drawing "the mass of the working people and representa-

[58] For the pertinent post-Stalin legislation on tort liability, see the Civil Fundamentals, Ch. 12, in *Fundamentals of Legislation in the USSR*, pp. 188-90; enactment of the Civil Fundamentals in the RSFSR Civil Code of 1964, Ch. 40, in Whitmore Gray and Raymond Stults, Eds., *Civil Code of the Russian Soviet Federal Socialist Republic*, Ann Arbor, MI, University of Michigan Law School, 1965, pp. 117-24; and the analysis of the Principles, code law, and selected cases in Donald D. Barry, "The Soviet Union," in Donald D. Barry, Ed., *Governmental Tort Liability in the Soviet Union, Bulgaria . . . and Yugoslavia*, Leiden, A. W. Sijthoff, 1970, pp. 54-70.

[59] *Pravda*, June 5, 1977, p. 2. The following account of the constitutional discussion is based on a survey of articles and letters about the Draft Constitution published from June 4 through mid-August 1977, in the following newspapers: *Pravda*, *Izvestiya*, *Vechernyaya Moskva* (Moscow), *Literaturnaya gazeta* (Moscow), and *Ekonomicheskaya gazeta*. In addition, six other national and republican newspapers were surveyed intermittently during the same period: *Komsomol'skaya pravda* (Moscow), *Krasnaya zvezda* (Moscow), *Sovetskaya Litva* (Vilnius), *Pravda Ukrainy* (Kiev), *Bakinskiy rabochiy* (Baku), and *Leningradskaya pravda*.

[60] See, e.g., G. V. Romanov's report to the *aktiv* of the Leningrad party organization, *Leningradskaya pravda*, June 9, 1977, p. 2; *Pravda*'s lead editorial, June 9, 1977, p. 1; and P. P. Grishkyavichus' report to the Lithuanian Supreme Soviet, in *Sovetskaya Litva* July 3, 1977, p. 1. Grishkyavichus is First Secretary of the Central Committee of the Lithuanian Communist Party and, like Romanov, was elected a member of the Constitutional Commission in April 1977.

[61] *Pravda*, June 7, 1977, p. 1.

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tives of all strata of the population" into the discussion and to use the occasion for "the further invigoration of all social life in the country," [62] subordinate party leaders returned to their constituencies and made organization and leadership of the discussion a matter of highest priority for all party cadres under their jurisdiction.[63] Shortly after the Draft was published, a *Pravda* editorial appropriately characterized the discussion as an "exchange of opinion on the basic questions of the development of our society and state." [64] According to well-informed sources, special arrangements have been made at every level of the Soviet system for recording the subsequent comments and suggestions, and for forwarding them to the Constitutional Commission for consideration.[65]

Specifically, every party organization, state institution, social organization, etc., is expected to discuss the Draft Constitution and forward its statement and/or proposals for amendment through the appropriate channels to the newly established Secretariat of the USSR Constitutional Commission (the Institute of State and Law of the USSR Academy of Sciences reportedly plays a key role in the work of the Secretariat). This Commission, together with its Editorial Subcommittee, has been assigned the tasks of evaluating the amendments proposed in the course of the nationwide discussion and finalizing the draft for the fall ratification session of the USSR Supreme Soviet.

In addition, prominent scholars, including several jurists, have published in the leading newspapers lengthy individual articles presenting what appear to be their personal views on the Draft Constitution. Evidently, many of these articles, especially those which appeared in June and July, had been written earlier, their authors having received advance copies of the Draft Constitution for this express purpose in the spring prior to the document's publication.

All commentary, both internal and published, is to be evaluated in generalized form by the Constitutional Commission in the process of revising the published draft for final ratification this fall. Toward this end, the Presidium of the USSR Supreme Soviet renewed the Commission in April 1977 by adding 21 new members to replace the 43 members who had "left" the Commission since its last reorganization in 1966, as a result of death, demotion, retirement, or failure to gain reelection as a Supreme Soviet Deputy. The April additions increased the size of the Commission to its 1966 strength of 75 members, among them various Politburo members, Central Committee secretaries, republic party first secretaries and premiers, officials of all-union state and public organizations, prominent individuals, and the leading legal officials (including Procurator-General R. A. Rudenko, Chairman of the USSR Supreme Court Judge L. N. Smirnov, and USSR Minister of Justice V. I. Terebilov).[66] Each member apparently is expected to represent his particular regional or institutional interests in the politics of revision and ratification.

While an analogous "public" discussion preceded ratification of the 1936 Constitution, extensive public "commentary" on various legislative proposals has become, since Stalin's death, a much more common method of involving the average citizen in public affairs. In general, this involvement is circumstantial and very limited—usually to no more than suggesting changes in tone, wording, or emphasis in a given piece of legislation, for which the basic framework already has been set by party authorities. Public discussion has thus become an oft-used leadership technique for mobilizing the population and encouraging citizen participation in policy *implementation,* while the party uses the occasion for a mass political socialization campaign at the same time.[67]

The 1977 constitutional discussion does stand apart from previous discussions of legal reform, at least in terms of its scope and duration. But it marks no obvious watershed in either the extent of public political participation or in the quality of regime-society relations. It is extremely doubtful that the ongoing public discussion will result in significant changes in the Constitution before its ratification.

[62] Ibid., June 5, 1977, p. 2.

[63] See, e.g., *Pravda's* lead editorial, June 6, 1977, p. 1; Romanov's remarks of June 9, 1977, loc. cit.; and Sh. R. Rashidov's report to the *aktiv* of the Uzbek republic party organization, *Pravda*, June 10, 1977, p. 3. Rashidov is First Secretary of the Central Committee of the Uzbek Communist Party and a member of the CPSU Politburo.

[64] June 9, 1977, p. 1. This theme was reiterated in *Pravda's* lead editorial of June 29, 1977, p. 1.

[65] The following description is based in part on several conversations the author has had with well-informed persons.

[66] See Christian Duevel, "A Secretive Reorganization of the Constitutional Commission," *Radio Liberty Research*, RL 141/77, June 7, 1977, especially pp. 2, 4, and 6-8; and *Vedomosti Verkhovnogo Soveta SSSR* (Moscow), No. 18 (1884), May 4, 1977, Item 274.

[67] See Robert Sharlet, "Concept Formation in Political Science and Communist Studies: Conceptualizing Political Participation," in Frederic J. Fleron, Jr., Ed., *Communist Studies and the Social Sciences*, Chicago, IL, Rand McNally, 1969, pp. 244-53.

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At most, a number of semantic revisions and shifts in stress may be introduced, although any effort to link such changes with the public discussion will be problematic at best. It is useful to keep in mind that the proposals or criticisms which do appear in the Soviet media have passed through several cautious and purposive "filters" and, therefore, reflect the inclinations and political sensitivities of editors, censors, and various party authorities, in addition to those of the given authors.

At the same time, it is almost surely the case that within general guidelines laid down by the central party leadership, editors and local government and party officials exercise a substantial amount of discretion in deciding which views are to be published. It also seems clear that the scope of what is considered permissible for public discussion in the Soviet press has grown enormously since Stalin's death, a development to which the 1977 constitutional discussion gives eloquent testimony. To be sure, commentary on certain issues remains proscribed. Thus, even passing remarks on the Draft articles concerning either the party's role or Soviet foreign policy have been exceedingly rare in the discussion published thus far. On the other hand, the discussion has brought forth a remarkable variety of proposals on a wide range of concerns. In a narrow sense, the discussion has afforded to individuals and groups an opportunity for self-advertisement and the promotion of group or institutional interests which might be advantaged by some constitutional modification. The discussion has also served, however, as a forum for individuals who are more interested in the Constitution itself and certain of its provisions. This second category of commentators seems to take rather seriously the normative potential of the Constitution, increasingly emphasized by Soviet legal scholars.

In general, then, the discussion of the 1977 Constitution does represent an important indicator, in two major respects. First, the whole of the discussion for the most part delineates the boundaries of what the party leadership regards as legitimate for public consumption and consideration. Second, those particular issues which have been raised indicate in which aspects of Soviet social, economic, and political life the party hopes to stimulate the public's interest, as well as those issues on which the party is willing to tolerate the public's comments and suggestions. This is the overarching context in the light of which the published discussion should be appraised.

In its opening weeks, this discussion was largely ceremonial in nature and produced little of substance. Major party organizations contributed laudatory statements to the pages of *Pravda* set aside for the discussion; *Izvestiya's* special page was used to accommodate the enthusiastic declarations of different union republic supreme soviets and their presidia. In the same vein, lengthy articles by major party and government figures appeared in both newspapers during June, primarily offering a recitation of various social and economic achievements within their signatories' jurisdictions.[68] At this stage of the discussion, numerous photos displaying the public's "enthusiasm" for the new document appeared throughout the press. And daily the major newspapers carried a page reserved for the nationwide discussion, which typically contained survey articles by correspondents reporting first impressions of ordinary citizens, a supportive statement by a worker and deputy to a local soviet, and often a more lengthy, obviously prepared essay by a scholar on a general theme of the Constitution. Occasionally, brief letters from average citizens were also included.

By the end of June, the discussion had mushroomed into a great volume of citizen activity. *Izvestiya,* for example, reported that it had received over two and a half million letters on the Draft, while the municipal party organization in Kiev announced that exactly 41,787 groups were discussing the Constitution in that city alone.[69] Meanwhile, below the surface of published comment more substantive consideration of the Draft already was taking place in every institution and organization throughout the nation. These aggregated comments, suggestions, and recommendations on different constitutional articles began to flow upward through the various hierarchies and, via specially established channels, to the Constitutional Commission in Moscow. Since only a small fraction of such statements could possibly be published or broadcast, the greater part of both the ceremonial and substantive discussions inevitably has taken place behind the scenes and out of the public's view.

[68] See, e.g., *Pravda*, June 11, 1977, p. 3; ibid., June 13, p. 3; and V. V. Grishin's article in ibid., June 14, pp. 2-3. Grishin is First Secretary of the Moscow City Party Committee and a member of the Politburo. See also the article by the Chairman of the Presidium of the Ukrainian Supreme Soviet in *Izvestiya*, June 14, 1977, p. 2.

[69] *Izvestiya*, July 8, 1977, p. 2; and *Pravda Ukrainy*, July 3, 1977, p. 2. Subsequently, the Constitutional Commission reported that through July 20, 1977, more than 650,000 meetings of working collectives had been held, involving 57,000,000 people. See *Izvestiya*, July 30, 1977, p. 1.

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A meeting of workers at Moscow's Likachev Automobile Works acclaims the draft of the new Soviet Constitution. The signs in the hall show party and state chief Leonid I. Brezhnev and praise the Communist Party of the Soviet Union, its Central Committee's Politburo, and decisions of the CPSU's 25th Congress.

—TASS via Wide World.

Beginning in July, however, the published commentary took on a decidedly more substantive tone. A recurring pattern of issues, reflecting themes of the leadership, group interests, and individual concerns, began to emerge in the national and regional press. Basically, the nationwide discussion of the Draft seems to have become organized around three sets of issues—what we will call sociopolitical, socialist legality, and "motherhood" issues. Of course, this has not prevented publication of a diverse range of individual concerns: the citizen from Sverdlovsk who suggested adding to the personal property clause (Art. 12) explicit mention of an individual's right to own a car; or the pro-women's liberation letter which advocated that a phrase promising "government assistance to single mothers" be given a place in the document (Art. 35).[70] One "old-timer," a member of the party since 1919 and a veteran of the discussion of the 1936 Constitution, simply expressed his pleasure at again having the opportunity to take part in such a great undertaking.[71] But for the most part these were isolated comments, tangential to the main lines of the discussion.

Worker discipline and productivity and socioeconomic and political participation are the "sociopolitical" issues that have generated the greatest volume of attention—from party organizations, government agencies, managers, workers, and the average citizen. Two "socialist legality" issues—"law and order" and civil liberties—have stimulated somewhat less voluminous but much sharper, more intense comment. Finally, numerous letters in support of environmental protection and the promotion of science have appeared. No one, of course, explicitly opposes either of these, hence the label "motherhood issues." [72] Although these particular communications have been marked by greater spontaneity, they are

[70] See *Izvestiya*, July 10, 1977, p. 2; and ibid., July 15, 1977, p. 2.

[71] *Pravda*, July 9, 1977, p. 3.

[72] In the context of electoral politics, these have been called "valence-issues." See Donald E. Stokes, "Spatial Models of Party Competition," in Angus Campbell et al., *Elections and the Political Order*, New York, NY, John Wiley and Sons, 1966, pp. 161-79.

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also notably less intense. If, in fact, there are ad hoc "lobbies" operating from below in the course of any part of the discussion, they would appear to be the diffuse coalitions of specialists and concerned citizens that have mobilized in response to these two concerns.

Some of the issues, both within and between categories, would seem to be complementary. A stress on "law and order" dovetails nicely with support for public participation in peer justice institutions. Between other issues, however, there may be natural, and not merely implicit, conflict. Such would appear to be the relationship between the numerous and aggressive "law and order" proposals and the fewer, though more articulate, propositions for strengthened civil liberties. Finally, some of the pro-science suggestions are relevant to production questions. In contrast, advocates of environmentalism seem to stand alone, neither antagonistic to nor supportive of the other, basic issues in the discussion.

Sociopolitical Issues

At the heart of the "work issue" is the across-the-board concern over the need for improved labor discipline. Focused primarily on the labor discipline clause (Art. 60) and, to a lesser extent, on related ones (Arts. 13 and 40), numerous articles and letters have called for recasting this theme with stronger language, greater emphasis, and, sometimes, the assistance of coercive remedies. Brezhnev touched on the general problem at the May plenum, and both *Pravda* and *Komsomol'skaya pravda* cued the issue in lead editorials specifically on Article 60.[73] While the public commentary has included advice such as a factory *kollektiv's* suggestion of awarding more medals for good work and the woman engineer's argument that the Constitution must emphasize the correlation between marriage and a positive attitude toward work,[74] the mainstream of the discussion has divided between those who recommend writing more moral stimuli into the pertinent articles (usually Art. 60) and those who favor adding more practical language—for example, the Lithuanian engineer who stressed the importance of mechanization and increased worker education "in the struggle to raise the effectiveness of production and the quality of work." [75] In general, most workers' comments have inclined toward the moral approach, whereas management personnel seem more likely to agree with the engineer's emphasis.

At the same time, a number of letter writers have proposed a more coercive approach to the problem. One Moscow factory worker favored holding those who violate labor or production discipline "morally and materially responsible before society." In more specific terms, various engineers and skilled workers have advocated adding to Article 60 the language of legal sanction. And several writers from the Ukrainian, Lithuanian, Kazakh, and Kirgiz Republics have explicitly recommended including the letter and spirit of the extant anti-parasite legislation.[76]

In comparison with the "work" issue, the theme of socioeconomic and political participation has evoked a much broader spectrum of interests. Concerns range from enhancing the individual's participatory rights of making suggestions (Art. 49) and filing complaints (Art. 58) to expanding institutional discretion in correspondence with responsibilities—of enterprises in economic decision-making (Art. 15) and of local soviets with respect to local socioeconomic development (Art. 145).

Institutional participation has attracted the attention of middle-level elite members in particular. Both the Irkutsk Obkom and a Moscow factory manager, for example, offered nearly identical recommendations that supplementary wording be added to Article 15 to ensure that ministries be held accountable for their economic decisions and that they comply with existing legislation permitting greater initiative on the part of the enterprise.[77] (In somewhat related fashion, several letters from workers have indicated interest in strengthening the section on worker participation in enterprise management [Art. 16], although actual suggestions have consisted of minor

[73] *Pravda*, July 13, 1977, p. 1; and *Komsomol'skaya pravda*, July 14, 1977, p. 1.

[74] *Pravda*, July 18, 1977, p. 3; *Izvestiya*, July 19, 1977, p. 2.

[75] *Sovetskaya Litva*, June 29, 1977, p. 1. For other letters agreeing with the engineer's emphasis, see also *Bakinskiy Rabochiy*, June 28, 1977, p. 2; *Izvestiya*, July 7, 1977, p. 2; and *Pravda*, July 17, 1977, p. 3. For letters advocating increased "moral" incentives, see, e.g., *Sovetskaya Litva*, June 28, 1977, p. 2; *Izvestiya*, July 12, 1977, p. 2; *Vechernyaya Moskva*, July 30, 1977, p. 2; and *Krasnaya zvezda*, Aug. 16, 1977, p. 2.

[76] For the comment of the Moscow factory worker, see *Vechernyaya Moskva*, July 16, 1977, p. 2. For letters proposing legal sanctions, see, e.g., *Literaturnaya gazeta*, No. 27, July 6, 1977, p. 2; *Komsomol'skaya pravda*, July 23, 1977, p. 2; and *Pravda*, Aug. 1, 1977, p. 3. See the proposal on anti-parasitism by Deputy A. V. Ivanov at the first session of the newly-elected Leningrad City Soviet, *Izvestiya*, June 25, 1977, p. 3. See also *Pravda Ukrainy*, July 1, 1977, p. 2; *Sovetskaya Litva*, July 7, 1977, p. 2; *Pravda*, July 12, 1977, p. 3; ibid., July 13, 1977, p. 3; ibid., Aug. 3, 1977, p. 3; and *Vechernyaya Moskva*, Aug. 10, 1977, p. 2.

[77] *Pravda*, July 8, 1977, p. 3; and *Vechernyaya Moskva*, July 9, 1977, p. 2.

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semantic revisions which seemingly would expand the scope for such participation only slightly.[78])

The status of local soviets—especially their position vis-à-vis higher state organs—has drawn comment from local party and soviet officials and from prominent jurists as well. Thus, the chairman of the executive committee of a village soviet in the Kirgiz Republic recommended strengthening the language of the clause which empowers deputies to address inquiries to higher ranking officials or institutions (Art. 103). The official wanted to ensure that the deputy receives a reply which is "clear and timely." The deputies of the Moscow City Soviet, advised by a leading legal scientist, proposed enlarging the scope of the clause which defines the basic jurisdiction of a local soviet (Art. 145). In the same spirit, a Party secretary from Tomsk Oblast suggested giving the standing committees of the local soviets a basis in constitutional law.[79]

At the same time, and with the apparent aim of increasing the accessibility of both the local soviets and individual deputies, a number of letters from ordinary citizens "below" concentrated on buttressing the provision of a deputy's accountability to constituents, contained in the basic clause that defines the role of "people's deputy" (Art. 101). For example, a citizen from Odessa proposed writing into the clause a stipulation that deputies be required to appear in person before their constituents and answer questions. Another set of proposals has aimed at ensuring the responsiveness of the executive committees of local soviets by reinforcing the requirements that they report to the local soviet as a body and, in the words of one writer, "before the population and before workers' collectives," too (Art. 148). In a related sense, still another citizen proposed extending the concept of accountability to the people's courts as well, by incorporating specific and demanding terminology in the last paragraph of the judicial election clause (Art. 151), which is largely pro forma as now written.[80]

Another aspect of the broad issue of participation relates to the citizen's right of criticism (Art. 49). A prominent legal scholar emphasized the importance of this right in a major article published in *Izvestiya,* and the Chairman of the Lithuanian State Committee on Television and Radio Broadcasting proposed before the Lithuanian Supreme Soviet that Article 49 be supplemented to include a requirement that officials also shall be obliged to examine and reply to citizens' proposals and requests which have been "published in the press and broadcast over television and radio." [81] The citizen's right of complaint (Art. 58) has likewise received considerable attention. Two citizens wanted Article 58 to specify that "bureaucratism and red tape in the consideration of complaints" were not permitted, while an engineer from Moscow suggested making far more explicit the paragraph outlining the citizen's right to judicial remedy.[82]

Finally, there has been some interest in the press in those peer justice institutions which have persisted, if on a reduced scale, since the Khrushchev period. Two writers, one a juridical scholar and the other a factory foreman, recommended that the comrades' courts be mentioned specifically in the Constitution. In addition, a lead editorial in *Pravda Ukrainy* elaborately praised the people's voluntary patrols (*druzhinniki*) and suggested politely that they too should be included in the new Constitution. Neither institution was mentioned in the Draft.[83]

"Socialist Legality" Issues

Since he assumed office in 1964, Brezhnev and his associates in the party leadership have consistently stressed the need for "law and order." Not

[78] *Vechernyaya Moskva,* July 7, 1977, p. 2; *Izvestiya,* July 9, 1977, p. 2; and *Komsomol'skaya pravda,* July 22, 1977, p. 1. See also *Vechernyaya Moskva,* Aug. 17, 1977, p. 2; and *Pravda,* Aug. 21, 1977, p. 3.

[79] *Izvestiya,* July 7, 1977, p. 2; ibid., June 30, 1977, p. 2; and ibid., July 2, 1977, p. 2.

[80] *Izvestiya,* June 28, 1977, p. 2; ibid., July 9, 1977, p. 2; and *Pravda,* July 9, 1977, p. 3. See also *Izvestiya,* July 14, 1977, p. 2; and *Pravda,* Aug. 14, 1977, p. 3.

[81] *Izvestiya,* July 15, 1977, p. 2; *Sovetskaya Litva,* July 3, 1977, p. 2.

[82] *Izvestiya,* July 16, 1977, p. 2; *Komsomol'skaya pravda,* July 22, 1977, p. 1; and *Vechernyaya Moskva,* July 22, 1977, p. 2. See also *Pravda Ukrainy,* July 3, 1977, p. 2; and *Pravda,* Aug. 1, 1977, p. 3.

[83] *Izvestiya,* July 7, 1977, p. 2; *Pravda,* July 3, 1977, p. 3; *Pravda Ukrainy,* June 29, 1977, p. 1. See also *Pravda,* June 27, 1977, p. 3; *Pravda*'s lead editorial, July 3, 1977, p. 1; *Izvestiya,* Aug. 6, 1977, p. 2; and *Pravda,* Aug. 23, 1977, p. 3. The absence of reference to these two institutions in the Draft Constitution is apparently not meant to signal their gradual "withering away." In a May 1977 speech, USSR Minister of Justice V. I. Terebilov indicated that both institutions have been given increased authority and responsibility in order to fulfill their assigned roles in the implementation of the new legislation on juvenile delinquency, enacted in February 1977. See *Pravda,* May 20, 1977, p. 3, as translated in *CDSP,* June 15, 1977, pp. 1-2. For basic studies on these institutions, see Harold J. Berman and James Spindler, "Soviet Comrades' Courts", *Washington Law Review* (St. Louis, MO), Vol. 38, 1963, pp. 842-910; and Dennis M. O'Connor, "Soviet People's Guards: An Experiment with Civic Police," *New York University Law Review* (New York, NY), Vol. 39, 1964, pp. 579-614.

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surprisingly, this issue has become a popular one in the nationwide discussion of the Draft, with the "rights and duties" and property protection clauses (Arts. 39, 59, 61) serving as special foci of attention. Several jurists and many more workers, including political activists, have contributed their thoughts on both the general theme of maintaining "socialist legality" and the more specific problem of reducing economic crime. Even a few veiled, critical references to Soviet dissidents have appeared. A. F. Shebanov, a distinguished legal scholar and editor of the leading Soviet law journal, *Sovetskoye gosudarstvo i pravo,* set the tone for this part of the discussion in an article in *Pravda* by characterizing "socialist law and order" as an "organic part of the Soviet way of life." One borough procurator in Moscow proposed amending Article 59 so that the citizen would be obliged "to know" as well as to observe (*soblyudat'*) the Constitution and the laws. In addition, another Moscow lawyer suggested that the citizen should be obliged to "observe" (*soblyudat'*) rather than merely "respect" (*uvazhat'*) the norms of socialist morality" as well. This apparently was a frequent suggestion, for *Izvestiya* noted that similar recommendations had been received "from many others." [84]

Typical of the more sharply worded letters concerning economic crime is the one which suggested that Article 59 ought to include a requirement that the citizen adopt an implacable opposition toward "the pyschology of private property." A number of individuals have offered similar revisions of the public property protection clause (Art. 61). Thus, an army officer proposed adding a constitutional prohibition against the use of public housing for "the acquisition of unearned income." In fact, numerous letters addressed to *Izvestiya* from various parts of the Soviet Union have recommended that even the personal property clause be revised to include a general prohibition against using such property for "private gain" (Art. 12).[85] Other letters have concentrated on the problem of economic crime in the factories, the prime objective of the public property protection clause, with suggestions that range from the addition of more inspirational language to reworking into a more intimidating form the phrase that threatens legal sanctions against violators of the law.[86]

The polemics between General Secretary Brezhnev and President Carter over human rights and détente [87] have offered several lower party and government officials the opportunity to publicly rebut Western criticism of Soviet human rights policy, while scoring points on the "law and order" issue at the same time. In a prominent article in *Pravda,* the secretary of a party organization in the Academy of Sciences in Moscow asserted that the new Constitution exposed the "noisy campaign in defense of the rights and freedoms of citizens of the socialist states" as mere "demagogic speculation." Moreover, he recommended greatly strengthening the linkage between rights and duties in Article 59, in language which had some clearly antidissident overtones. A week after this was published, *Pravda* printed a small box on its discussion page which indicated that the party secretary's article had evoked considerable interest from other readers. Two of these responses were published. One, from a metal worker in Khabarovsk, referred to the dissidents as "renegades" and strongly supported the proposal to strengthen the linkage between rights and duties. In the other, a local party secretary from the Armenian SSR observed that it was "no secret that there are still citizens who opposed their personal interest to the interests of society as a whole." He, too, supported his party comrade's recommendation that "it is necessary to strengthen Article 59." Finally, a rather singular communication from Lithuania managed to touch obliquely on all aspects of the "law and order" issue. The writer, a worker and a member of the People's Voluntary Patrol, urged that the latter organization be given the authority and power to deal with "not only violations of the social order" but "anti-state acts" as well.[88]

Treatment of the "civil liberties" issue has differed from the "law and order" discussion in two respects. First, civil rights is a theme of both the public dis-

[84] *Pravda,* July 15, 1977, pp. 2-3; *Vechernyaya Moskva,* June 28, 1977, p. 2; and *Izvestiya,* July 13, 1977, p. 2. See also ibid., Aug 6, 1977, p. 2; and *Vechernyaya Moskva,* Aug. 10, 1977, p. 2.

[85] *Pravda,* July 8, 1977, p. 3; *Krasnaya zvezda,* July 23, 1977, p. 2; and *Izvestiya,* July 24, 1977, p. 2. See also *Pravda,* July 28, 1977, p. 3. For a readers' "debate" on the personal property clause (Art. 12), see ibid., July 30, 1977, p. 3.

[86] *Vechernyaya Moskva,* June 21, 1977, p. 2; ibid., July 11, 1977, p. 2 (two letters); ibid., Aug. 22, 1977, p. 2; *Komsomol'skaya pravda,* July 31, 1977, p. 1; and *Izvestiya,* Aug. 6, 1977, p. 2.

[87] See, e.g., the attacks on Zbigniew Brzezinski in *Komsomol'skaya pravda,* May 25, 1977, p. 3, as translated in *CDSP,* June 22, 1977, pp. 6-7, and on President Carter in *Izvestiya,* June 9, 1977, p. 5.

[88] *Pravda,* July 8, 1977, p. 3; ibid., July 16, 1977, p. 3; and *Sovetskaya Litva,* July 8, 1977, p. 2. See also *Pravda Ukrainy,* July 1, 1977, p. 2. Brezhnev had given some emphasis in his Report to the linkage of rights and duties, and the press cued the public on this issue rather heavily in lead editorials. See *Vechernyaya Moskva,* June 6, 1977, p. 1; *Izvestiya,* June 8, 1977, p. 1; and *Krasnaya zvezda,* June 21, 1977, p. 1.

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cussion in the press and the "underground" discussion in *samizdat,* while "law and order" has been a topic only in the approved public forums. Second, the civil rights issue appears to draw its support primarily from two identifiable "interest groups," one official and institutional in nature, the other decidedly unofficial and associational. In contrast, the supporters of "law and order" seem far more diffuse.

The public discussion of civil rights had already produced a well articulated, interrelated set of proposals by the time the "underground" discussion was just beginning to surface midway in the nationwide discussion, although in the long run the scope and depth of the latter undoubtedly will eclipse the former. The jurists as a group have dominated the media discussion of civil rights, while various dissidents have dealt with the issue in *samizdat.* After only two months of constitutional discussion, the combined if independent efforts of jurists, ordinary citizens, and a handful of dissidents had produced commentary on 22 constitutional clauses and had raised more than two dozen specific proposals, questions, and criticisms concerning the status of civil liberties in the new Constitution. This commentary covers a wide spectrum of questions concerning both substantive and procedural due process, and several prominent jurists have reopened old debates from the criminal and civil legal reforms of the late 1950's and early 1960's.

The tone of the public discussion of civil rights was set early in the summer by V. M. Savitskiy, the head of the Criminal Procedure Section of the prestigious Institute of State and Law of the USSR Academy of Sciences. He proposed emulating the East European constitutions by adding a new clause on the purpose of Soviet justice, which should be protection of the "Soviet social and state system, the rights and legal interests of citizens, as well as the rights and legal interests of state institutions and enterprises and of social organizations." More substantive concerns over due process centered first on the general socialist legality clause (Art. 4). Savitskiy pointed out that its placement at the beginning of the Constitution emphasized the significance now attached to "socialist legality." A lower-court judge in the Ukraine stressed the positive implications of the article for local soviets, in regard to their maintenance of law and order and observance of socialist legality. Nevertheless, a Moscow "shock worker" argued that the draft clause was inadequate as worded and offered a substitute version which rendered the obligation of the state and its agents to obey the Constitution and the laws in far more explicit terms.[89]

The public discussants have refrained from criticizing the clauses on the substantive rights of speech, press, association, and religion (Arts. 50, 51, 52); but dissidents have not. On June 2, two days before the Draft Constitution was published, Andrey Sakharov and a group of dissidents openly appealed to the Soviet government for a "general amnesty of political prisoners" on the occasion of ratification of the forthcoming new Constitution. Implicit was criticism of the regime's practice of prosecuting dissidents for exercising their civil rights in contradiction to the officially construed caveats of the main "bill of rights" clauses (Arts. 50 and 51). The day after the Draft appeared, Sakharov announced that a "strong new wave of repression was under way" in Moscow and in the provinces.[90] On June 8, the "Christian Committee for the Defense of the Rights of Believers of the USSR" issued an appeal to Brezhnev as chairman of the Constitutional Commission, proposing a three-point resolution of the "legal crisis" for Christians that seemed implicit in the restricted "freedom of religion" clause (Art. 52).[91] First, the committee urged deleting from *party* rules the section requiring a party member to oppose "religious survivals." Next, it suggested incorporating a new statement into the party charter which would merely underscore, in principle, the incompatibility of communism and religion. Having thus proscribed religious activities and beliefs for party members, the petition continued, the party leadership should then be in a position to introduce into the text of the new Constitution a provision which

[89] *Izvestiya,* July 3, 1977, p. 2; *Pravda Ukrainy,* July 8, 1977, p. 2; and *Pravda,* July 14, 1977, p. 3. See also *Izvestiya,* Aug. 18, 1977, p. 2.

[90] On Sakharov's appeal, see *Le Monde* (Paris), June 4, 1977, p. 5. For his subsequent statement, see *The New York Times,* June 6, 1977, p. 4. See also G. Snigerev's "Open Letter to the Soviet Government," *Russkaya mysl'* (Paris), July 7, 1977, p. 2. He argued that the "linkage" of rights with duties (Art. 39), combined with the caveat of Art. 50, effectively "canceled" his rights as a citizen. Snigerev is a writer and documentary film maker who has been active in Ukrainian dissident circles since 1966. In 1974 he was expelled from membership in the Communist Party and the professional organization necessary for him to work in cinema, apparently for refusing to renounce publicly his friendship with the dissident writer Viktor Nekrasov, now an émigré. For information on dissidents' reactions to the new Soviet Draft Constitution, I am indebted to Dr. Gene Sosin, Radio Free Europe/Radio Liberty, New York, NY.

[91] Article 52 reads in part: "The incitement of enmity and hatred in connection with religious beliefs is prohibited."

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Academician M. S. Strogovich, an eminent Soviet jurist.

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allowed "the possibility in principle of religion under communism." [92]

In the published discussion, suggestions for improving operationalization of the substantive aspects of due process have dominated. A pensioner and old party veteran from Azerbaydzhan, for example, believed the "right to criticize" clause (Art. 49) was too weak. Remarking that administrative suppression of criticism was dangerous for society and could lead to serious abuses, he argued that it should be not merely "prohibited" but classified as a punishable criminal offense. The well known reform jurist, Academician M. S. Strogovich, rather eloquently elaborated the merits of the "right of complaint" article (Art. 58), but also proposed additional language for further protecting the citizen's exercise of this right. He pointed out that, under provisions of the Draft, not only did the citizen enjoy the constitutional right to make complaints, but that the state and its officials were constitutionally obligated to respond as well. Most important, he added, the judicial remedy phrase now made it possible for a citizen to turn to the courts not only in criminal and civil matters but also to remedy purely administrative abuses by government officials. Yet to be quite certain that this important right would not be undermined, Strogovich advised adding to the clause the stipulation that "all state and social organizations shall be categorically prohibited from referring complaints for rectification to those individuals whose actions are the object of the complaint." [93]

Certain proposals have been made, too, to ensure that the structure of the legal system is compatible with the full realization by citizens of their rights. For instance, G. Z. Anashkin, a former judge of the USSR Supreme Court, suggested clarifying the judicial supervision clause (Art. 152) to better ensure that the highest court will exercise effective supervision over the work of subordinate courts. Savitskiy, the criminal procedure specialist and a colleague of Strogovich, advocated substitution of a new text for the collegial decision clause (Art. 153). The revised article would include "complaints against the actions of administrative organs" within the jurisdiction of the courts. In addition, both this jurist and a "cadre inspector" from Sverdlovsk separately argued for the inclusion of more specific language in the "judicial independence" clause (Art. 154).[94] The inspector proposed increasing the responsibility of the judge and the assessors, while Savitskiy offered phrasing which would subject to prosecution anyone trying to pressure the court on a decision. Finally, former judge Anashkin advocated decentralization of the power of pardon. This power, vested in the Presidium of the USSR Supreme Soviet by the Draft Constitution, should be extended, he argued, to the presidia of the union republic supreme soviets as well (Art. 119). But, more interestingly, this jurist also urged that the clause specifying the citizen's right of complaint (Art. 58) be broadened so that individuals in custody could turn to the courts when administratively deprived of their rights by investigators and procurators in the course of the preliminary investigation.[95]

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[92] Information on the religious appeal is from RFE/RL. For the party rule referred to in the religious petition, see John N. Hazard, *The Soviet System of Government*, 4th ed., Chicago, IL, University of Chicago Press, 1968, Appendix, p. 244. In contrast to the religious dissidents, a colonel in the military law office of the Soviet Army urged a far more restrictive religious freedom clause (Art. 52). See *Krasnaya zvezda*, July 31, 1977, p. 2.

[93] *Bakinskiy rabochiy*, July 2, 1977, p. 2; and *Literaturnaya gazeta*, No. 29, 1977, p. 2. See also *Izvestiya*, Aug. 17, 1977, p. 2.

[94] Article 154 specifies that both "Judges and people's assessors are independent and subordinate only to the law."

[95] Doctor of Jurisprudence G. Z. Anashkin is former Chairman of the Criminal Division of the USSR Supreme Court. His article appears in *Pravda*, July 11, 1977, p. 3. Also see *Izvestiya*, July 3, 1977, p. 2; *Pravda*, July 8, 1977, p. 3; and the joint letter from two well-known jurists urging reinforcement of the independence of the procurator (*continued on page 23*)

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There apparently was great interest in questions of procedural due process. In fact, *Pravda* found itself the target of so many questions from readers that it decided to interview the Deputy Procurator General of the USSR, S. I. Gusev, to obtain the appropriate answers.[96] For example, a number of citizens in various parts of the Soviet Union had written asking for clarification of the right of inviolability of the home (Art. 55). The Procurator replied that, in comparison with the corresponding article in the 1936 Constitution, this right now had been clarified and strengthened, and he added that the appropriate guarantees could be found in the criminal procedure codes of the union republics. Another letter-writer's question on the privacy clause (Art. 56) received a similar response. The most interesting question, however, came from a citizen who noted that the new personal inviolability clause (Art. 54) essentially was identical with the same clause in the "Stalin Constitution" and, therefore, wanted to know what guarantees today existed that this provision would not be violated. In reply, Gusev assured the readers that such guarantees were now well established in the criminal codes of the union republics.[97]

In contrast, Anashkin suggested a few days later that the personal inviolability clause needed to be supplemented so that not only arrest but also "detention" could only be carried out subject to the law (Art. 54). On a somewhat different point, Savitskiy strongly recommended combining and greatly strengthening the two clauses which reserved the administration of justice for the courts alone (Arts. 150 and 159). He advised inserting this synthesized statement at the beginning of Chapter 20 on "Courts of Law and Arbitration," in place of the currently-worded Article 150. Finally, the clause providing "open" sessions for all court proceedings, except when exempted by law (Art. 156), elicited the criticism of a dissident who implied that this "right" had been made a mockery of in a recent Ukrainian case and in many other cases where the trials have actually taken place *in camera*.[98]

Possibly the most important point of procedural due process was raised by Savitskiy, the prominent Moscow criminal proceduralist. He ended his aforementioned article in *Izvestiya* with a strong appeal to include an explicit presumption of innocence in the right of defense clause (Art. 157), thereby reopening no doubt an old debate between "reformers" and "conservatives" within the Soviet legal profession. In effect, he suggested that this addition would institutionalize a meaningful right of defense in both Soviet criminal process and constitutional law. Furthermore, two letters written by jurists working as defense lawyers argued for strengthening that part of the same article that declares a defendant's right to counsel. The second letter writer, also the secretary of the party organization in a local defenders' collegium in a provincial city, proposed extending the right of defense beyond that presently provided for in Soviet criminal procedure law. He believed that the Constitution should include a citizen's right to defense counsel during the "preliminary investigation" rather than at its conclusion, thereby recalling another major issue in the earlier debates on criminal procedure reform.[99]

"Motherhood" Issues

While the civil rights issue was, for the most part, the province of lawyers and dissidents—two relatively cohesive if diametrically opposed "groups"—the "motherhood" issues seem to have stimulated the interest of ad hoc "lobbies." Nearly everyone, especially those specialists working in the fields, is *for* science or environmentalism. Each issue has attracted an extraordinary number of letters from

from the local soviet in his jurisdiction, as a safeguard for ensuring the observance of legality, *Izvestiya*, Aug. 3, 1977, p. 2. Earlier, in *samizdat*, Roy Medvedev had advanced similar proposals. He, too, suggested broadening the court's jurisdiction so that citizens could seek judicial remedies against administrative abuses. See his *On Socialist Democracy*, New York, NY, Knopf, 1975, esp. pp. 162-63. On the policy and law of pardon, see Zigurds L. Zile, "Amnesty and Pardon in the Soviet Union," *Soviet Union*, Vol. 3, Part 1, 1976, pp. 37-49.

[96] *Pravda*, July 6, 1977, p. 3.

[97] Deputy Procurator Gusev was far less persuasive in his previous "exchange" with Sakharov and Chalidze on the Op-Ed Page of *The New York Times*. See *The New York Times*, Feb. 23, 1977, p. A23; Valery Chalidze's rebuttal, March 5, 1977, p. 19; and Sakharov's reply, March 29, 1977, p. 27.

[98] *Pravda*, July 11, 1977, p. 3; *Izvestiya*, July 3, 1977, p. 2; and Snigerev, "Open Letter." Snigerev was referring to the conviction of two Ukrainian dissidents in June 1977 for their leadership of an unofficial "watch group" in Kiev whose purpose was to monitor Soviet compliance with the Helsinki accords. The trial had taken place in an out-the-way small town instead of in Kiev, thus making it very difficult for the defendants' relatives and supporters to attend and in effect rendering it *de facto* a "closed trial."

[99] *Izvestiya*, July 3, 1977, p. 2; ibid., June 26, 1977, p. 2; and *Pravda*, Aug. 3, 1977, p. 3. On the earlier debates over the right to counsel and the presumption of innocence, see Gorgone, "Soviet Jurists in the Legislative Arena: The Reform of Criminal Procedure, 1956-1958," loc. cit.; and Kazimierz Grzybowski, "Soviet Criminal Law," *Problems of Communism*, March-April 1965, especially pp. 60-62.

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every part of the country and at every level of the media.

Article 26 in the Draft commits the state to ensuring the "planned development of science and the training of scientific cadres," as well as the application of the results to the economy. Scientists and technicians from every field and discipline, from research laboratories, and from teaching departments have written to endorse this clause and propose an additional phrase or two which would tighten the "link with production," increase funding for basic research, or produce still more cadres.[100] Academicians, university presidents, and lab chiefs have flooded the press with their enthusiasm for science, each one taking a few paragraphs to promote a particular specialized interest within the science community. Occasionally, a communication from a nonspecialist has appeared but, even in these instances, from someone with an indirect connection with science and technology—for example, letters from a retired colonel and from a journalist polar explorer. Most of the letters, however, have been written by highly educated and well-affiliated scientists.[101]

Similarly, concern for the environment has proved to be an extremely popular topic in the public discussion. Specialists have put forth proposals on this issue, too, but a considerable number of concerned citizens have taken strong environmentalist positions as well. Letters supporting the protection of nature have clustered around elaborating the state's commitment (Art. 18) or strengthening the citizen's obligation (Art. 67). Many letters, such as the one from an official of the "All-Russian Society for the Protection of Nature," have suggested relatively mild changes in language, although a few from average citizens have advocated the inclusion of legal sanctions. While most writers promote a general interest in environmentalism, a few seem to have more special interests in mind, such as the forester who wanted a prohibition against poaching written into the Constitution.[102]

The Constitution as "Magic Wall"

As noted previously, it is unlikely that the public discussion will lead to significant changes in the new Constitution before its ratification. Some semantic revisions and slight shifts in emphasis will probably be added, but any linkage between such changes and "public opinion" will be very difficult to document. Nevertheless, the number of individuals who have participated in the discussion thus far and the nature of many of their suggestions perhaps indicate that many Soviet citizens are attentive to—and may even take seriously—the potentially prescriptive aspects of their new Constitution. While their perceptions may prove to be unjustified, they do serve, implicitly, as "public support" for the more normative Constitution envisioned by the "constitutionalist" scholars. More important, the extent to which the 1977 Constitution does function as a prescriptive document will provide a benchmark for measuring the scope and limits of change in the Soviet polity.

In a more fundamental sense, however, the new Constitution still represents the sedimentation of six decades of Soviet rule. This Constitution is a distillation of that cumulative experience, although it also serves to codify the shifting emphasis from rule by force to rule by law that has emerged since Stalin's death nearly a quarter of a century ago. The result is a Soviet-style *Rechtsstaat,* a legal framework through which the party can govern its vast domain without irrevocably limiting its ultimate power of action. In essence, the Brezhnev regime has created in constitutional form a "magic wall" which conceals the "close cohabitation between wide stretches of certainty for mass man's daily living conditions and unheard of areas of oppression [and] lawlessness." [103]

[100] While everyone may be "for" science, this does not preclude possibly serious disputes over the allocation of science-targeted funds. In particular, those who would tighten the "link with production" by directing a still larger share of the science budget into "applied research" will no doubt come into conflict with the interests supporting "basic research."

[101] For a sample of such letters, see *Pravda,* June 27, 1977, p. 3; ibid., July 20, 1977, p. 3; ibid., Aug 3, 1977, p. 3; ibid., Aug. 14, 1977, p. 3; *Izvestiya,* July 1, 1977, p. 2; ibid., Aug. 3, 1977, p. 2; *Vechernyaya Moskva,* July 7, 1977, p. 2; and *Bakinskiy rabochiy,* July 1, 1977, p. 2.

[102] *Pravda,* July 10, 1977, p. 3; *Izvestiya,* July 8, 1977, p. 2; *Pravda,* July 21, 1977, p. 3; and *Vechernyaya Moskva,* June 27, 1977, p. 2. The enactment in June 1977 by the USSR Supreme Soviet of the all-union Fundamental Principles of Forest Legislation, which was accompanied by a number of pro-environmentalist speeches by various deputies, gave additional impetus, no doubt, to the ad hoc lobby on environmentalism. See *Izvestiya,* June 18, 1977, pp 1-7. For other letters on the general issue, see, e.g., *Bakinskiy Rabochiy,* July 1, 1977, p. 2; *Ekonomicheskaya gazeta,* No. 27, 1977, p. 8; ibid., No. 30, 1977, p. 6; *Izvestiya,* July 24, 1977, p. 2; *Krasnaya zvezda,* July 30, 1977, p. 2; and *Pravda,* Aug. 22, 1977, p. 3.

[103] Otto Kirchheimer, "The *Rechtsstaat* as Magic Wall," in Kurt H. Wolff and Barrington Moore, Jr., Eds., *The Critical Spirit: Essays in Honor of Herbert Marcuse,* Boston, MA, Beacon Press, 1967, p. 312.

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The "Second Economy" of the USSR

By Gregory Grossman

The standard Western image of the Soviet "command economy" is one of a state-owned, hierarchically organized, centrally planned and managed, price-controlled and otherwise regimented system, rigidly geared to the goals and priorities of the Soviet leadership, and operating in compliance with a myriad of state-imposed laws, regulations, and directives. However valid this image might be—and, while greatly oversimplified, it is not entirely incorrect—there is another, very significant side to Soviet economic reality, where production and exchange often take place for direct private gain and just as often violate state law in some non-trivial respect. This is the so-called "second economy," also referred to by Western observers as "counter-economy," "unofficial economy," "parallel market," and "private enterprise." [1] It comprehends a vast and varied set of activities that is attracting ever greater attention from Western scholars. Closely tied to it is widespread corruption of officialdom. Both exist on a large scale in the Soviet Union and in Eastern Europe, and, of course, have many analogies in non-Communist countries, both developed and underdeveloped.

"Second Economy" Defined

As some scholars define it, the second economy comprises all production and exchange activity that fulfills at least *one* of the two following tests: (a) being directly for private gain; (b) being in some significant respect in knowing contravention of existing law. So defined, the second economy includes much of the perfectly *legal* private activity which is possible in the USSR. To explain this paradox, it is important to note that legal private activity, though formally sanctioned and ideologically tolerated, is nevertheless ideologically alien to the Soviet system. Its operating principles are sharply different from those of the "first" economy. Furthermore, in many cases one cannot practically draw a line between legal and illegal private activity, since the former often serves as a front for the latter and both support one another. In light of this last consideration, and since this article will deal primarily with the illegal and "semilegal" aspects of the second economy, it may be useful at the outset to describe precisely that private economic activity in the USSR which is legal.

By far the most extensive and best studied part of Soviet legal private economic activity is the "private plot"—if smaller, the "garden plot"—in agriculture.[2] The private plot can be cultivated by a peasant household that belongs to a collective farm, by a household with primary employment at a state farm, or, as is often the case, even by one with primary employment outside of agriculture altogether. It has been estimated that in 1974 private agriculture accounted for almost one third of all man-hours expended in agriculture and almost one tenth of all

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[1] The terms "second economy" and "parallel market" seem to have been coined by K. S. Karol, in "Conversations in Russia," *The New Statesman* (London), Jan. 1, 1971, pp. 8-10. In the article Karol also speaks of the "third economy," the network of restricted and well-stocked shops in the USSR available only to the privileged.

[2] See, especially, the definitive work by Karl-Eugen Wädekin, *The Private Sector in Soviet Agriculture*, Berkeley, CA, University of California Press, 1973.

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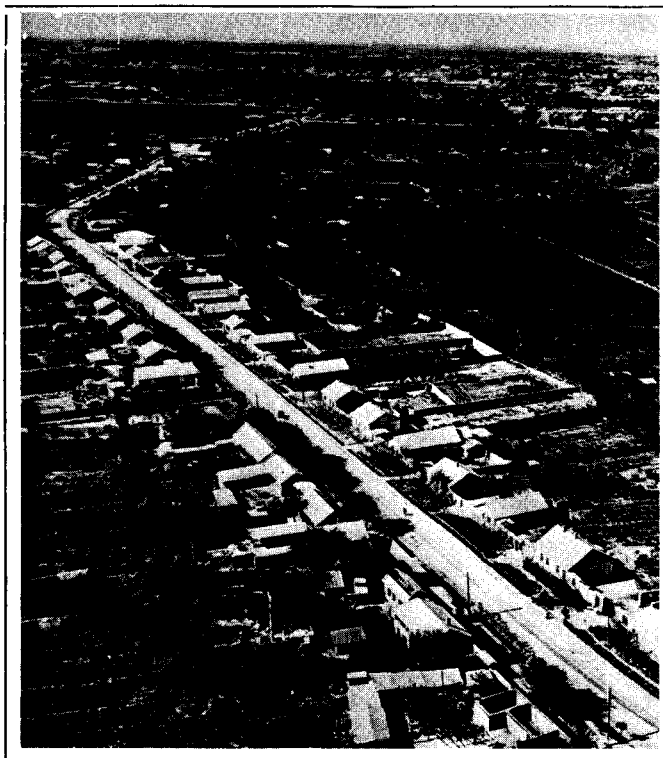

An aerial view of a modern Soviet collective farm shows the neatly fenced private plots of the farmers directly behind their houses. The collective fields stretch beyond.

—Sovfoto.

man-hours expended in the whole economy.[3] The land making up the private plots invariably belongs to the state, and the cultivator pays no rent as such. For *kolkhozniki,* or members of collective farms, the plot has lately averaged about three tenths of a hectare (three fourths of an acre), on which not only field crops are grown, but some fowl, smaller livestock, and a strictly limited number of large livestock are usually kept as well. Urban "garden plots" tend to be even smaller. Still, the approximately 50 million such tiny "farms," whose area represents only about 3 percent of the national total of cultivated land, have a gross output which is more than one fourth the gross output of Soviet agriculture. Their contribution to production is especially significant in potatoes, vegetables, fruit, and animal products. Their logical adjuncts are the so-called collective-farm markets, marketplaces where producers sell directly to final consumers and where demand-and-supply relations reign almost supreme.[4]

Although in principle the private plot and the kolkhoz market are legal, they are quite frequently associated with illegalities. For example, limitations on plot area and on livestock holdings may be surreptitiously exceeded; various inputs—particularly fodder, but also fertilizer, water, implements, means of transport, etc.—may be illegally obtained from the "socialized" sector; and produce may be marketed with the help of middlemen. The collective-farm markets invite violations of the law as well, most notably, the disposal of stolen goods.

Considerable private activity is to be found in the housing sector of the Soviet economy also. By law, the private ownership of housing is allowed only for the owner's occupancy, with some exceptions. And although owner occupancy of houses is not a productive activity in the common sense of the phrase, it is worthy of note that even 60 years after the Russian revolution approximately one half of the Soviet total population, and about one quarter of the urban population, still resides in privately owned housing.[5] What is more, as late as 1975 some 30 percent of all new housing space (measured in square meters) was completed by non-state entities: housing cooperatives, collective farms, and individuals, with the last accounting for the greatest share.[6] Again, while in principle such construction may be legal, there is little doubt that much of it involves the acquisition of materials on the black market, illegal hiring of construction help, unauthorized use of state-owned vehicles, bribery of officials, and other violations of the law.

To complete our list, the law also permits private activity in certain professions, such as those of physician, dentist, teacher, and tutor; in the provision of certain household and repair and personal services, in rural areas only; in a very few (and quite unimportant) crafts and trades; in the prospecting

[3] Murray Feshbach and Stephen Rapawy, "Soviet Population and Manpower Trends and Policies," in US Congress, Joint Economic Committee, *Soviet Economy in a New Perspective,* Washington, DC, US Governent Printing Office, 1976, Table 13, p. 138.

[4] On the kolkhoz market, see Wädekin, op. cit., Ch. 6.

[5] See Henry W. Morton, "What Have the Soviet Leaders Done about the Housing Crisis?" in Henry W. Morton and Rudolf L. Tökés, Eds., *Soviet Politics and Society in the 1970's,* New York, NY, Free Press, 1974, p. 175. Information on the private housing sector in the USSR and Eastern Europe, in its illegal as well as legal aspects, is conveniently brought together in Laszlo Revesz, *Mieter und Wohnung im Ostblock* (Tenants and Housing in the Eastern Bloc), Bern, Schweitzerisches Ost-Institut, 1963. See also fn. 17 below.

[6] The exact amount built by private individuals cannot be ascertained because housing built by collective farms as such is lumped with it in available statistics. It is not unlikely that some private construction escapes identification in official statistics.

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and extraction of some valuable metals, such as gold, by so-called *starateli* (prospectors); in the hunting of some fur-bearing wild animals; and in some other rather exceptional instances.[7] Private prospectors and hunters must surrender the fruits of their efforts exclusively to the state at posted prices. Finally, the sale of used personal objects to other persons is permitted. This, however, opens a loophole for illegal trading.

Other forms of private activity in production or exchange are proscribed. The employment of one individual by another is prohibited, except in the case of household help (which, incidentally, is rather hard to find these days). Any purchase and resale with intent to profit—so-called "speculation"—is illegal regardless of difference in time or place of purchase and sale. Private possession of foreign currency or of monetary metals is illegal also, such prohibition being common to all countries practicing stringent foreign exchange control. Except for authorized persons, moreover, all transactions with foreigners are against the law. As already mentioned, the plying of nearly all crafts and trades for private gain is prohibited. And, needless to say, the law forbids turning socialist property to private lucrative use; theft from the state and cooperatives, as well as from private persons; bribe-taking by official persons; and bribe-giving, in money or *natura*.[8]

Within the state sector itself, the violation of the innumerable laws, rules, regulations, norms, directives, plans, etc., pertaining to the everyday activity of managers, technicians, workers, clerks, functionaries, administrators, and everyone else, is punishable either by law or by administrative sanction. Nevertheless, despite far-reaching and rigorous prohibitions—and in some measure precisely because of them—and despite the often severe penalties threatening transgressors, the breaking of economic laws and regulations and the passing of bribes are commonplace, everyday phenomena in which virtually the whole population of the USSR is continu-

[7] An up-to-date review of which private activity is legal and which is not, together with a lively commentary, can be found in Valeriy Chalidze, *Ugolovnaya Rossiya* (Criminal Russia), New York, NY, Khronika Publishers, 1977, pp. 246-90. I am indebted to Professor V. G. Treml for bringing this source to my attention.

[8] On the law pertaining to bribery, see ibid., pp. 230-45; and to the theft of socialist property, ibid., pp. 291-303. Chalidze points out the curious fact that the granting of sexual favors by a woman to an official is not now regarded in Soviet law as a bribe, though at one time it was; see ibid., p. 238.

Stalls at a collective-farm market in Kiev. —Don Hunstein/FPG.

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ously enmeshed, and in which some individuals are involved on a large and at times gigantic scale.

How can this be determined? Readers not conversant with the topic may wonder where one obtains information on "economic crime" in the USSR. (This Soviet term embraces theft from the state and from cooperatives, bribery, and the whole range of illegal activities involving production and exchange.) Generally speaking, the accumulation of data is no problem whatever in regard to sheer volume. The Soviet press is replete with articles on the theme, mostly in the form of case descriptions of theft, bribery, illegal production and trade, and the like, going into remarkable detail, and often with seeming candor. Similar descriptive information can be found in Soviet juridical literature and in books on such subjects as public order, auditing, "people's control," and party activity. How accurate and representative information filtered through Soviet censorship is, however, is another question. Such information contains obvious lacunae. For example, Soviet printed sources rarely mention cases of failure of law enforcement. (Naturally, the most successful illegal activities, those that go undetected, are not publicized at all.) They pass by in silence such crucial problems as corruption of the party *apparat,* of high government officials, and of police and other law-enforcement authorities;[9] and they fail to mention, to this author's knowledge, the startling phenomenon of the sale, for high capital sums, of governmental and party posts (see below). Faith in the rectitude of the pillars of the political regime must not be undermined by the press, even though the truth must surely be known by a substantial part of the public. Furthermore, the printed media are typically silent about any shenanigans in the vast defense sector and in the armed forces. They may deliberately distort the facts of individual cases. They rarely print generalizing analyses about the second economy or corruption;[10] and, if the authorities dispose of quantitative estimates of the overall extent and incidence of second economy activities or some parts thereof, as they probably do, such never appear in the press. Nonetheless, a researcher can learn a lot from simply reading the newspapers.

Other major sources of data available to the scholar include accounts by foreign correspondents in the USSR,[11] the scholar's own personal contacts and observations in that country, and—of major importance lately—the written and oral testimony of recent emigrants.[12] Of considerable help, too, are similar sources in or from the Communist countries of Eastern Europe, since both the underlying causes of the second economy and its symptoms and manifestations are essentially the same there as in the USSR, even though general conditions, the extent of permitted private activity, and official policies may vary from country to country.

Clearly, then, there are sufficient sources of raw data on the subject to allow the researcher to assert

[9] Nonetheless, allusions to the corruption of law-enforcement authorities occasionally sneak through. See the hint in an article on an anti-speculator raid at a provincial collective-farm market that all the speculators had been forewarned by someone inside the police force; *Pravda* (Moscow), May 13, 1977.

[10] A notable exception is the concise but informative article by A. Kirpichnikov, "A Criminological Study of Bribery", *Sotsialisticheskaya zakonnost'* (Moscow), No. 12, 1975, pp. 41-43.

It is important to note in connection with Soviet press coverage that the periodical *Soviet Analyst* (London) frequently prints and comments upon information on economic crime in the USSR, culled mostly from the Soviet press, and that the Central Research Service of Radio Liberty (Munich) maintains a file on what it calls the unofficial economy, with material from both Soviet and non-Soviet sources. I would like to express my thanks to Keith Bush of Radio Liberty for sharing parts of the Radio Liberty file with me.

[11] Of these, the most informative is in Hedrick Smith's best-selling book, *The Russians,* New York, NY, Quadrangle, 1976, Ch. 3, entitled "Corruption: Living *Na Levo.*" *Na levo* literally means "to (or on) the left," and is the idiomatic Russian expression for doing things illegally or not quite legally. Other useful recent accounts by journalists in English are Robert J. Kaiser, *Russia: The People and The Power,* New York, NY, Atheneum, 1976; and James N. Wallace, "How Private Enterprise Helps the Russians Survive," *U.S. News and World Report* (Washington, DC), Dec. 22, 1975, pp. 52-54. The accounts of foreign correspondents are themselves in large measure based on material in the Soviet press, as well as on personal contacts and observations.

[12] The only published summary of the results of interviews with emigrants seems to be Zev Katz, "Insights from Emigrés and Sociological Studies on the Soviet Economy," US Congress, Joint Economic Committee, *Soviet Economic Prospects for the Seventies,* Washington, DC, US Government Printing Office, 1973, pp. 87-94.

On the other hand, recollections published by the emigrants themselves are getting to be quite numerous. Notable among these is A(ron) Katsenelinboigen, "Coloured Markets in the Soviet Union," *Soviet Studies* (Glasgow), January 1977, pp. 62-85, an attempt at a typology of legal, semilegal (or "grey"), and illegal markets, with much interesting incidental information. Of particular interest, too, is the book by Il'ya Zemstov, *Partiya ili Mafiya: Razvorovannaya respublika* (A Party or a Mafia: The Plundered Republic), Paris, Les Editeurs Réunis, 1976. Azerbaydzhan is the republic in question, and Zemtsov claims to have had access to secret information on internal conditions, partly on the basis of which he paints an especially dark picture of venality, corruption, crime, and hopelessness. An informative concise account, also in Russian, is L. Shpiller, "Soviet Everyday Life," *Novyy zhurnal* (New York), June 1977, pp. 180-200. A more generalizing essay is Dimitri K. Simes, "The Soviet Parallel Market," *Survey* (London), Summer 1975, pp. 42-52. Also in English is Yuri Brokhin, *Hustling on Gorky Street: Sex and Crime in Russia Today,* New York, NY, Dial Press, 1975. As the title indicates, this book leans heavily in the direction of sensationalism, which tends to diminish its value for serious research, although much of its supposedly factual material is in line with what is now generally known.

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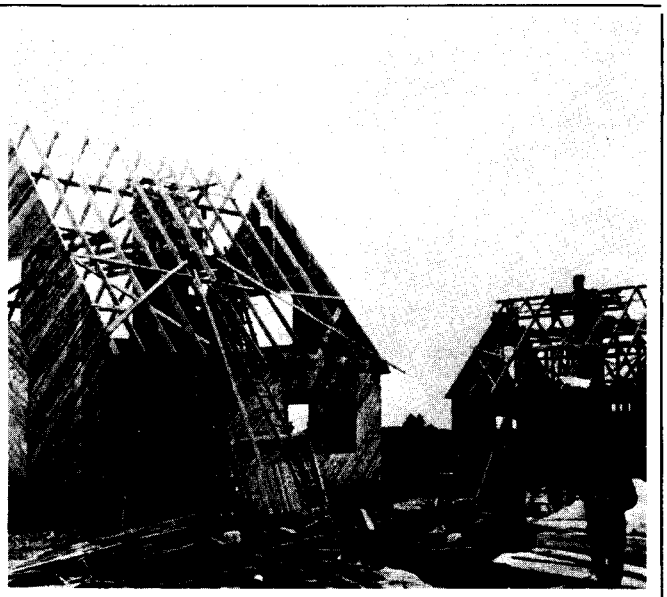
that illegalities exist in all sectors of the Soviet economy. Given this conclusion, it is necessary to examine the forms which these illegal manifestations of the second economy normally assume.

Forms of Economic Illegality

The enormous variety and occasional complexity of illegal and semilegal activities in production and distribution are ensured by the pervasiveness of controls and the massive number of prohibitions in the state and household sectors of the economy, and appear to be limited only by human ingenuity, though, naturally, the most ingenious schemes, being presumably also the more successful ones, tend to escape identification by Soviet authorities and detached observer alike. A series of classifications and typologies for these activities could be developed. One is perforce provided by Soviet law in terms of its different articles and the acts that they proscribe.[13] Another, a typology of markets, is offered by Katsenelinboigen, to whose work we have already adverted.[14] But no such classification will be made here in any formal sense. Rather, we will only provide a concise summary of the chief forms of relevant activity.

Doubtless the most common economic crime in the USSR is stealing from the state, under which we subsume stealing from all official organizations, including collective farms. All sources agree that it is practiced by virtually everyone, takes all possible forms, and varies in scale from the trivial to the regal. All also agree that the public takes it for granted,[15] attaches almost no opprobium to it—and, on the contrary, disapproves of those who do not engage in it—and sharply distinguishes between stealing from the state and stealing from private individuals. The latter is generally condemned. With some liberty, one might perhaps assert that the right to steal on the job, within certain conventional limits, is an implicit but integral part of the conditions of employment in the Soviet Union. It not only furnishes significant additional income in kind and in money to much of the public, conversely representing a major item of expense for the state,[16] but also provides an important, often indispensable, basis for the second economy. The peasant steals fodder from the kolkhoz to maintain his animals, the worker steals materials and tools with which to ply his trade "on the side," the physician steals medicines, the driver steals gasoline and the use of the official car to operate an unofficial taxi; and to all of them income from private activity on the side may be more important than the wage or salary they earn in their official jobs.



Construction proceeds on new private dwellings in the Soviet Union.

—FPG.

An important variant of stealing on the job is the diversion and black-market sale by truck drivers of freight in their custody. This is precisely the source of the apparently considerable amount of building material that enters illegal channels and makes possible much private, kolkhoz, and at times even state-enterprise construction. A more lordly way of stealing, if one is highly placed, is to use the resources of one's own firm or organization to personal advantage. The Soviet press is full of examples: have the firm build you a summer house (*dacha*) at little or no cost to yourself,[17] or have it remodel your

[13] Chalidze, op. cit.

[14] See fn. 12.

[15] "Nobody can subsist on his wage or salary; everyone has to steal and moonlight in order to live" is the standard view.

[16] This applies on a ceteris paribus premise. Of course, if no one stole from the state, the state could afford to pay higher wages and salaries and would probably have to do so to some extent. In other words, the state compensates for its loss through theft by paying lower wages, at least on the average if not in every case. This in turn provides implicit justification for the individual to steal from the state, and the circle closes.

[17] The whole *dacha* business—renting, owning, building, maintaining—is shot through with illegalities, as vividly described by Christopher S. Wren in *The New York Times*, Aug. 17, 1977, p. 2.

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apartment in town or provide a company car for your wife. Such illegal perquisites—in addition to the legal ones that important officials and managers enjoy—seem often to be taken for granted.

Theft from the state does not take place only on the job, however. By all indications, a great deal of it is perpetrated by what might fairly be called professional criminals—the ordinary worker pilfering tools or materials at the factory does not think of himself in these terms—and even by well-organized gangs of criminals capable of pulling off daring and large-scale feats. There is little doubt that the merchandise so stolen in large measure enters the black market as well and partly feeds illegal production in the second economy.

There are also less crude forms of stealing from the state. A very common one consists of the diversion of finished goods, supplies, or materials by enterprise managers themselves. The goods might be recorded in the books as legitimately spoiled or lost in transit, for the books must of course show everything to be in order. But the diverted goods in fact are disposed of on the black market, or, in the case of intermediate materials and parts, used to manufacture items that can then be profitably sold. The proceeds are appropriated, though they may have to be shared with those within and outside the firm who are privy to what has happened.

The aim of those who divert goods is not always private peculation, however; it may be to promote the success of one's firm in terms of official indicators, which, to be sure, could indirectly benefit the operators of the diversion. The diverted goods may be used to barter against needed supplies when these are not available through legitimate channels, to improve the well-being and raise the morale of the firm's rank and file, and so on.[18] An important point which follows from this is that Soviet production statistics may not only be overstated by managers eager to show plan fulfillment in order to earn their bonuses, but may also occasionally be understated, particularly in the light and food-processing industries, where diversion of goods is relatively simple. There is no way, though, for the outside observer to estimate the extent of such understatement by industries and commodities or overall.

Generally speaking, in an economy with pervasive goods shortages such as exist in the Soviet Union, physical or administrative control over goods often confers both the power and the opportunity for economic gain to the individual, be he or she ever so humble in the formal hierarchy. It is clear that many take advantage of this fact. Thus, when goods in high demand arrive in state-owned retail stores, it is common for salespeople to lay them aside for favored customers from which they can expect good tips, if not to preempt the goods themselves for profitable resale. The salesperson usually has to split any gains with his or her supervisor, who most likely again splits his share with the next higher supervisor, and so on up the chain of command.[19] Nevertheless, over time the additional net income gained may easily exceed—sometimes severalfold—the salesperson's salary and legal bonuses, which, perhaps for this very reason, are very modest to begin with. The individual, in fact, may have little choice but to fall in with the system of extralegal gain.

Functionaries in the administrative bureaucracy who handle the allocation of producer goods—and they are very many—and those who are in charge of waiting lists for automobiles, other major consumer durables, and housing also have considerable opportunity for graft and apparently take advantage of it, though how commonly we are unable to say.[20]

Finally, as has already been mentioned, there is widespread speculation in goods which are hard to come by. Given the invariable maldistribution by the state of goods over time and space, and chronic shortages of many items in the USSR, the opportunities for black-market trading for profit are nearly unlimited. The objects of speculation run the gamut from food, through foreign-made clothes purchased from visitors from abroad or in foreign currency (valuta) stores, to precious metals and foreign currency. The speculators may be relatively innocent individuals who pick up a few things on a visit to Moscow for resale to friends at home, or highly professional large-scale operators.[21]

In addition to illicit trade there is illicit produc-

[18] The "informal" side of Soviet enterprise operation is by now long and well known to Western observers. See Joseph S. Berliner, "The Informal Organization of the Soviet Firm," *Quarterly Journal of Economics* (New York, NY), August 1952, pp. 342-65; also his *Factory and Manager in the USSR*, Cambridge, MA, Harvard University Press, 1957.

[19] See Katsenelinboigen, loc. cit., p. 76; and Smith, op. cit., p. 87.

[20] Mention of corruption of such functionaries is fairly frequent in the press. For a vivid account of parasitism in the textile trade, see K. Andreyev, "A Moth in the Yarn," *Sotsialisticheskaya industriya* (Moscow), Feb. 4, 5, and 6, 1976. Regarding housing, see Shpiller, loc. cit., pp. 184-85.

[21] A Moscow resident once told the present author: "In this city you can get anything for money, though sometimes it takes a lot."

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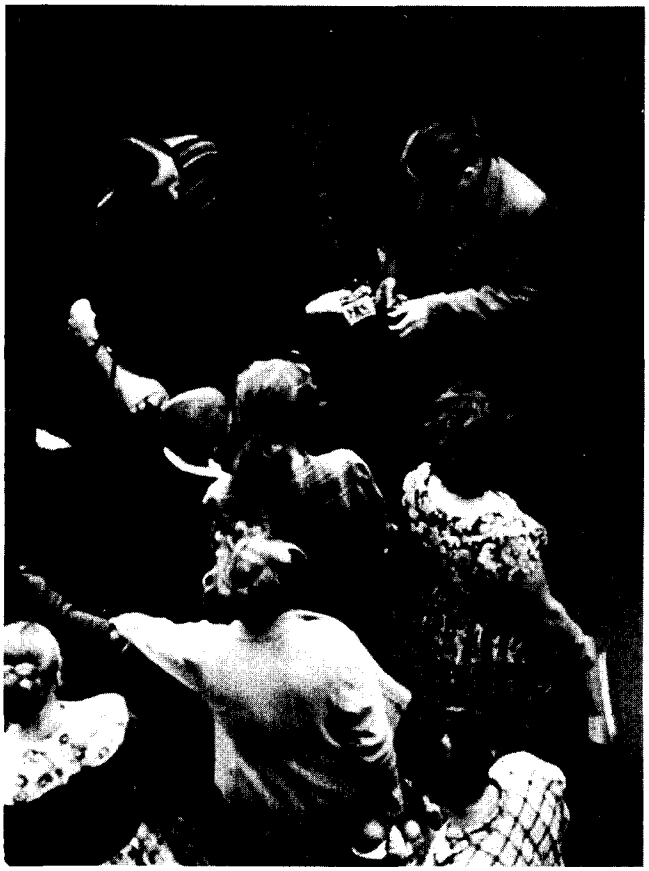
tion.[22] Although the private practice of nearly all crafts and trades is forbidden, it is far from suppressed. A large number of household repair and building services, typically provided by people "moonlighting" outside, or even during, working hours; automotive repair; the sewing and tailoring of garments;[23] the moving of furniture and other transport services—these and many others are regular illegal or semilegal features of Soviet life. On a larger scale are the operations of seemingly well organized migratory gangs of builders who contract themselves out, chiefly to collective farms, for specific jobs at preagreed and relatively very high prices. Both individual moonlighters and gangs of workers are referred to as *shabashniki* (literally: free-time workers).

Lastly, there are the underground entrepreneurs in the full sense of the word: i.e., individuals who promote and organize production on a substantial scale, employ the labor of others, obtain materials and machinery on the black market, and distribute their output widely. They invest their own capital, for underground firms are privately bought and sold at capitalized values that presumably reflect their expected profitability discounted for risk. The products involved are often consumer goods (garments, footwear, household articles, knickknacks, etc.) but can be producer goods as well. Large-scale private operations such as these commonly take place behind the protective façade of a state-owned factory or a collective farm—naturally, with appropriate payoffs to those who provide the cover—in what might be called crypto-private manner.[24] Another variant of crypto-private (or pseudo-socialist) operation is the following: the enterprise is in fact state-owned and produces the output called for by its plan, but is operated virtually as a private firm by the manager, who pays a fixed sum or a proportion of enterprise revenue to the state and pockets the rest. Naturally, this is most practicable in smaller establishments, especially those producing services with a low material component, so that output cannot be easily controlled as a function of material input.[25]



The Soviet woman at the top right offers woolen stockings for private sale on a Moscow sidewalk.

—Armand Latourre/Camera Press.

Widespread Corruption

Illegal activities such as those just summarized are hardly the sole cause of corruption of Soviet officialdom and authorities, but they are surely a major contributing factor. Given the plethora of administrative superiors, controllers, inspectors, auditors, law enforcers, party authorities, expediters, and just plain snoopers that beset every economic activity, legal or illegal, in the Soviet Union, anything done out of line requires the buying off of some and often very many people.

[22] Not all of the activities enumerated in this paragraph are equally illegal, or equally illegal in all localities and under all conditions.

[23] Those who can afford to do so shun ready-made garments of Soviet manufacture, for reasons evident to any visitor to a Soviet department store, and either seek out foreign-made clothes or have clothes made to order by what must be a large number of tailors and seamstresses, who work either privately at home or, if in state-owned tailor shops (*atel'ye*), usually with the benefit of a tip or bribe. A striking story of a whole village in the Caucasus privately knitting warm woolen outerwear and marketing it by mail-order catalog is in an article by V. Pankratov and V. Prokhorov in *Pravda*, Aug. 13, 1976.

[24] Such crypto-private operation is revealingly described in detail in "The 'Black' Millions," *Radio Liberty Research* (Munich), RL 179/77, July 27, 1977. Interestingly, crypto-private activities described in the report go back to 1952, i.e., to Stalin's time.

[25] See, for instance, the case of the hairdresser cited by Katz, loc. cit., p. 91.

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It should be noted first of all that law enforcement officials in the USSR are apparently frequently bribed. Those involved include the regular police (the militia), the special economic police (OBKhSS—Department for Combating the Theft of Socialist Property), and at times personnel in prosecutors' offices.[26] One source even reports the case of an official who actively promoted underground enterprise within his jurisdiction in order to expand his graft base.[27]

No doubt most bribe taking and giving is rather petty, consisting of generous tips dispensed to salespeople for goods in short supply (such tips may not even be thought of as bribes by either side[28]) or of baksheesh extracted from the public by many a clerk wielding an official rubber stamp. But some bribes are far from petty and can add up to substantial sums over the year.

Compounding the picture presented here is the Russian tradition of *prinosheniye* (literally, "bringing to"), the regular bringing of valuable gifts to one's superiors or others in proximate authority, as satirized, for instance, nearly a century and a half ago by Gogol in his immortal comedy *The Inspector General*. Thus, *prinosheniye* is not bribery in relation to a particular act or event, but a general and regular way of ingratiating oneself with authority, and one which is expected by both parties. *Prinosheniye* is given by individuals to their superiors[29]; but of course on a large scale it is dispensed by enterprises, collective farms, and, needless to say, underground entrepreneurs to their various "protectors." The major beneficiaries are highly placed authorities, ranging up to the ministerial level; local government chiefs; and, not least, local, provincial, and possibly higher party secretaries and first secretaries. Rural officials of various kinds apparently regularly take in large amounts of choice food from collective and state farms in their jurisdictions. Nor are higher-ups adverse to simply demanding tribute when their whim so dictates.[30]

The next logical step in the development of corruption would seem to be the capitalization of expected future streams of graft, and hence the purchase and sale of lucrative official positions. This step, too, seems to have been taken in the USSR. Zemtsov reports the widespread purchase and sale around 1970 of high party and high government positions in Azerbaydzhan for sums ranging from 10,000 rubles for lesser posts to 250,000 rubles for that of Minister of Trade.[31] If one assumes his information is correct, some interesting questions and inferences suggest themselves. Who receives such capital sums? Are they appropriated by one person in each case, or are they split among cliques of individuals? How do the buyers of positions raise such huge amounts? What return do they expect? How secure are they in their acquired "property rights"? Indeed, to what extent has an aura of property rights arisen around certain positions? At the very least one can deduce that the purchase and sale of positions for large sums of money signifies the profound institutionalization in the Soviet Union of a whole structure of bribery and graft, from the bottom to the top of the pyramid of power; that considerable stability of the structure of power is expected by all concerned; and that very probably there is a close organic connection between political-administrative authority, on the one hand, and a highly developed world of illegal economic activity,

[26] See Zemtsov, op. cit., pp. 26 and 80; "The 'Black' Millions," loc. cit., p. 3; Smith, op. cit., p. 87

[27] "The 'Black' Millions," loc. cit., p. 7.

[28] Where the gift ends and the bribe begins is a question that is occasionally debated in the pages of Soviet newspapers. See, for example, "Gift or Bribe," *Literaturnaya gazeta* (Moscow), Aug. 27, 1975, p. 12. Excerpts from this and similar articles are to be found in German translation in *Osteuropa* (Aachen), October 1976, pp. A548 ff. See also an article by V. Kotenko in *Pravda*, June 28, 1976.

An important area of large tipping and gift-giving is that of medical care. In effect, the nominally free services of surgeons, physicians, nurses, and other medical personnel command black-market fees. There is also an active black market in medicines. See David K. Shipler, "Soviet Medicine Mixes Inconsistency with Diversity," *The New York Times*, June 26, 1977, p. 1; and Shpiller, loc. cit., passim.

[29] Even research institute directors benefit from *prinosheniye* (author's private information).

[30] See Shpiller, loc. cit., p. 183; Zemtsov, op. cit.; and Smith, op. cit., p. 99.

On corruption in the USSR generally, there are two recent articles: Steven J. Staats, "Corruption in the Soviet System," *Problems of Communism* (Washington, DC), January-February 1972, pp. 40-47; and John M. Kramer, "Political Corruption in the USSR," *Western Political Quarterly* (Salt Lake City, UT), June 1977, pp. 213-24. Both authors interpret "corruption" broadly, to include violation of regulations by factory managers. There is of course a large descriptive and analytical literature on corruption, written mostly by political scientists and pertaining to both developed and underdeveloped countries. Some of it appears to be relevant to Soviet and East European experience. See, for example, Arnold J. Heidenheimer, Ed., *Political Corruption: Readings in Comparative Analysis*, New York, NY, Holt, Rinehart and Winston, 1970; and James C. Scott, *Comparative Political Corruption*, Englewood Cliffs, NJ, Prentice-Hall, 1972.

[31] Zemtsov, op. cit., pp. 26-35. The average legal wage or salary in the USSR in that year, by comparison, was 122 rubles per month. Similar sales of posts seem to have taken place in Georgia, at least prior to the 1972 republic purge (Smith, op. cit., p. 97). Whether the sale of positions for capital sums took place or is taking place outside of Transcaucasia, we do not know.

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Women of a Ukrainian collective farm sell potatoes and other produce from the back of a truck.

—Robert Capa/Magnum.

on the other. In sum, the concept of *kleptocracy,* developed by sociologists with reference to corrupt regimes and bureaucracies in underdeveloped countries, does not seem inapplicable to at least certain portions and regional segments of the Soviet party-government hierarchy.[32]

Soviet Particularities

Certain aspects of the second economy and corruption in the USSR appear to play a particularly important role in shaping the special characteristics of the Soviet *kleptocracy*. Before one tries to estimate the size and ultimate significance of the second economy itself, therefore, some comments about the particularities of the Soviet case seem in order.

[32] On *kleptocracy,* see the contributions by S. Andreski and S. Rajaratnam in Heidenheimer, op. cit.

Quite apart from the significance of the private plot in furthering illegal private economic activity in the USSR, the collective farm itself plays an important role in this regard. The following are some of the reasons. Formally, it is relatively easy to set up subsidiary enterprises at collective farms. While official policy intends such enterprises either to produce materials or services for the farm's own use or to process its agricultural products, they seem readily turned into fronts for illegal private operations. In fact, some enterprises exist on paper only and serve exclusively front purposes. Furthermore, the farm often can provide illegal undertakings with premises, transport, and labor—all of which are hard to obtain in the city. Finally, the collective farm is subject to less stringent controls than are state-owned enterprises and organizations with regard to conversion of bank money (i.e., deposit balances in the State Bank) into cash. This point is crucial for underground operations which derive revenue from the state sector, because state-

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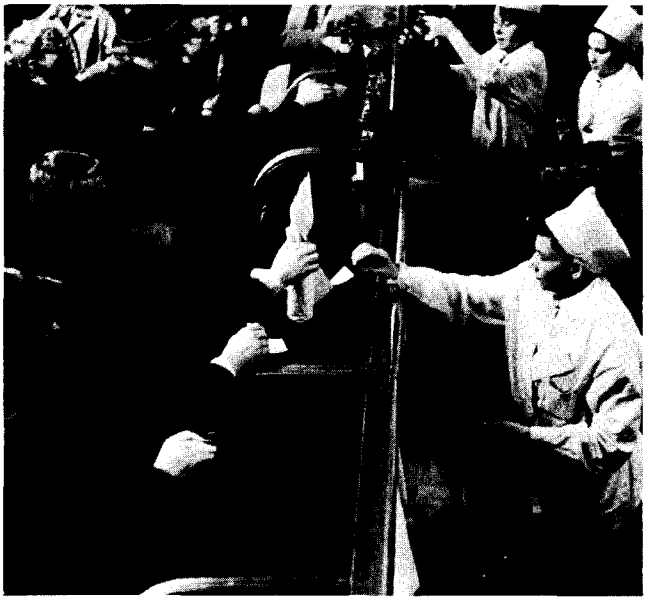
owned entities, which may find ways of paying for services rendered with bank money, as a rule dispose of very little currency. Bank money must be converted into currency, however, to pay individuals for their productive contributions, to purchase materials on the black market, to grease the palms of officials where necessary, and to retain a profit for the entrepreneur himself. The collective farm accomplishes this conversion.

Also important to the success of illegal economic activity is the role of persons in direct charge of small means of transport, i.e., truck drivers, taxi drivers, and, lately, owners of private automobiles. The reasons are of course obvious. A good deal of the demand for private automobiles—at high official prices, and even at much higher black-market prices[33]—is generated by the desire to provide transport to the second economy, which at once generates the need for nonofficial vehicles and provides the purchasing power necessary to acquire them.

A further aspect of the Soviet case which one can hardly fail to make note of is that alcohol suffuses and penetrates much of the second economy. Vodka—both the illegal "home brew" (*samogon*) and the state-produced variety, the latter especially since 1972 when restrictions on conditions and hours of sale were tightened[34]—is a major object of black-market trading. It seems likely that a disproportionate fraction of the moderate amounts earned in the second economy or from bribe taking is spent on alcohol (*high* incomes so earned are more likely to be spent on tangible valuables or to be hoarded), thus, incidentally, swelling the coffers of the state treasury. Furthermore, vodka itself occasionally serves as the means of payment of illegal wages or petty bribes. It also functions as a standard of value, in that the price of the *shabashnik*'s services is sometimes specified beforehand as so many half-liter bottles of standard vodka, even though the ultimate payment may be the current ruble equivalent thereof.[35]



The weekend buying surge at the beverage counter of a Moscow food store. There are few other places, except for restaurants, where the Soviet public can legally purchase alcoholic beverages.

—Eve Arnold/Magnum.

Last among the special characteristics to be referred to here is that the Soviet second economy has a geographic and regional pattern. Since a significant component of supply on the black-market consists of foreign goods smuggled into the country by merchant-marine crews, port cities such as Leningrad, Riga, and Odessa are obviously major funnels that feed the second economy. The Odessa black market enjoys high renown. In fact, illegal private activity and corruption seem especially highly developed in the southern regions of the country, in Transcaucasia, and in Central Asia. Some aspects of venality and illegality in Azerbaydzhan have already been cited. However, Georgia has a reputation second to none in this respect.

[33] The official retail prices of new cars, high as they are, typically are not the full cost to the buyer, who has to grease many palms before his treasured object is duly acquired, registered, and garaged, and before he receives a driver's license. To maintain and repair his car the owner will have to turn to the second economy for labor, spare parts, and supplies. He will partly recoup if he obtains his gasoline on the black market as well; stolen from the state, it sells for a fraction of the official retail price. See Smith, op. cit., p. 82; "New Assault on the Rights of Soviet Workers," *Radio Liberty Research*, RL 188/75, May 2, 1975, pp. 2-3; "Pocket Gasoline", *Sotsialisticheskaya industriya*, March 11, 1977; and "Kings of the Gasoline Pump," *Pravda*, Aug. 18, 1977.

[34] For the 1972 measures, see *Pravda*, June 16, 1972. In his carefully researched paper, "Production and Consumption of Alcoholic Beverages in the USSR: A Statistical Study," *Journal of Studies on Alcohol* (New Brunswick, NJ), March 1975, pp. 285-320, Vladimir G. Treml estimates *samogon* to have accounted for 25-30 percent of all alcohol consumed in the USSR around 1970, with this share gradually declining with urbanization. He also estimates per-capita consumption of distilled spirits in the USSR (despite a large Moslem population) to be the highest in the world, and to have been rising at about 5 percent a year between 1957 and 1972.

[35] These statements on the uses of vodka are based on private information in the hands of the author. At present the official price of a half-liter bottle is 3.62 rubles, or about four times the average gross legal hourly wage.

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The Georgian unofficial economy seems to have at least two distinct, if not unrelated, parts. The first rests on the fact that for climatic reasons Georgia has a monopoly on citrus fruit production in the USSR and shares with only a few other regions considerable advantage in growing out-of-season fruit and flowers. The state attempts to obtain these goods for distribution throughout the country (one wonders if it could handle the latter task) at prices that are a fraction of what the products bring growers in the open markets of the Soviet Union's northern population centers. Naturally, Georgian peasants prefer the open markets. In effect, there has been for some time now an undeclared war going on between state authorities and the peasants, a contest in which the peasants have shown enormous determination and remarkable ingenuity in overcoming the formidable obstacles which the state has placed in the way of their pocketing the large economic rent offered by the open market.

The second part of the Georgian unofficial economy consists of private activity in industry, trade, and other areas. In form this activity may not differ greatly from what takes place in other regions, but in Georgia it seems to have been carried out on an unparalleled scale and with unrivaled scope and daring. Eyewitnesses report significant control by the largest underground entrepreneurs over major party appointments within the republic.[36] Or at least such was the situation until the issuance of the now well-known resolution of the Central Committee of the Communist Party of the Soviet Union, dated February 22, 1972, regarding the work of the Communist Party Committee of Tbilisi, which triggered a massive purge in the Georgian party leadership and in the republic as a whole, aimed at rooting out corruption, illegal private economic activity, and other economic crimes and violations. Even today, however, it does not seem that the purification has fully achieved its aims.[37]

Because of the greater density of economic crimes in the southern republics, any attempt on the part of central authorities to enforce the law inevitably carries with it significant implications for the general pattern of relations between Moscow and the periphery and between the Slavic majority of the USSR and the respective minority nationalities. These relations are already complicated enough.

Large and Growing?

How large is the Soviet second economy? So far as its *lawful* component alone is concerned, one can refer to estimates for 1968 prepared by the US Central Intelligence Agency,[38] which show that 10 percent of Soviet GNP (in the sense of value added) originated in the legal private sector, and that of this, 76 percent originated in agriculture, 22 percent in housing construction (completions), and 2 percent in services. Viewed in another way, legal private activity contributed 31 percent of value added in Soviet agricultural production and marketing, 32 percent of value added in housing completions, and 5 percent of value added in services. Before 1968, however, the share of the legal private sector had been declining steadily—in 1950 it had been 22 percent of GNP—though owing not so much to an absolute diminution of the private sector as to the rapid expansion of the socialist sector. Today the legal private sector is probably rather less than 10 percent of Soviet GNP.

Now, 10 percent of GNP may not be much, but considering the country, it is noteworthy. What is more, the legal private sector produces almost nothing aside from consumer goods (including housing services) and new residential construction. Since household consumption in 1968 claimed only about one half of GNP (at factor cost), the contribution of private value added to household consumption must have been at least 15 percent, and, in regard to household food consumption, perhaps around 25 percent.[39] It is probably still something similar today.

[36] See Ia. A. Chianurov, "Georgia and Her Party Leaders," Radio Liberty dispatch, Nov. 27, 1972, p. 3. For brief descriptions of the vigorous underground economic life of Georgia, see Kaiser, op. cit., pp. 110 ff.; and Smith, op. cit., pp. 95 ff.

[37] The original CC CPSU resolution was followed up four years later (*Pravda*, June 27, 1976) by a second one which, though appearing to stress positive changes, clearly indicated that the situation was still far from satisfactory. For additional information, see *The New York Times*, Jan. 31 and May 11, 1976; *Christian Science Monitor* (Boston, MA), July 8, 1976; and Elizabeth C. Sheetz, "Criticism of the Administration Organs in Georgia," *Radio Liberty Research*, RL 60/77, March 14, 1977.

[38] US Central Intelligence Agency, Office of Economic Research (Barbara Severin and David Carey), "Trends in Official Policy Toward Private Activity in the USSR," March 1970, processed, pp. 3 ff. and Appendix. GNP in this study presumably encompasses only the legal sectors of the Soviet economy.

[39] For comparison, see the 1970 breakdown of GNP at factor cost in terms of value added by sector of origin and end use, in Rush V. Greenslade, "The Real Gross National Product in the USSR, 1959-1975," in *Soviet Economy in a New Perspective*, pp. 284-85. Greenslade estimates total GNP (legal sectors only) at 340.219 billion rubles (BR), total household consumption at 164.731 BR, food consumption at 81.982 BR, and value added in agriculture at 69.405 BR.

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To turn from the legal to the *illegal* private sector (for the moment excluding from consideration illegal activities on socialist account), not even an educated guess of size can be attempted by an outside observer. Perhaps estimates are compiled by one or another institute in the USSR; but even without these one can assert with considerable confidence that illegal private economic activities are a major and extremely widespread phenomenon that for a very large part of the population is, in one form or another, a regular, almost daily, experience. This holds especially if one includes consideration of such common practices as the paying and taking of large tips (really black-market surcharges), petty bribes, and gifts *(prinosheniye)* that are in fact bribes. Moreover, whatever its opinion of large underground operations or more exotic dealings, the public seems to accept petty illegalities as a normal and even inevitable part of making one's way in a refractory and shortage-ridden environment. Little condemnation is leveled at those who benefit from the illegalities (so many do, after all!), and less yet at those who pass money to them.[40]

Eyewitnesses have frequently been of the opinion that both illegal economic activities and corruption have been markedly on the increase during the Khrushchev and Brezhnev administrations,[41] though it is not always clear whether they mean in terms of absolute growth of the phenomena or of their relative growth in relation to the "first" economy, which, of course, has been growing at a good rate itself. Thus, while absolute levels cannot be estimated by the outside observer, a significant increase of the illegal economy over the last 20 years can plausibly be assumed. The diminution of terror after Stalin's death; the spread of cynicism in regard to the official economic system and party rule, reported by many observers; the boost in consumer expectations created by successes of the economy in many fields, not least in the achievement of a sharp improvement in per-capita consumption, and by greatly expanded foreign contacts—all of these trends should have been expected to contribute both to mounting demand for consumer goods and services on the black market and to greater responsiveness of black-market supply. In addition, growth of the second economy and of corruption tends to feed on itself. People learn what they can get away with, success elicits imitation, and many are caught in a web from which they cannot escape even if they so desire. Events like the highly publicized introduction of the death penalty for graver economic crimes in 1961-62, or the aforementioned crackdown on corruption in Georgia in 1972, do not seem to have seriously retarded the historical trend toward expansion of both phenomena, at least not insofar as an outsider can judge. In contrast, major crop failures or years when the economy seems to grind down across the board, as happened in 1969 and 1977, may—we don't really know—give an added boost to the illegal economy over the short term.

Other factors favoring the long-term trend of expansion can be mentioned. The considerable rise in private car ownership which has taken place since 1970 appears to have given a strong push to the second economy activities and corruption connected with nearly every aspect of the acquisition, operation, maintenance, and repair of automobiles.[42] And a similar effect on the second economy generally can be attributed to the opening of the Soviet Union to foreign travel in both directions at the end of the 1950's and to the rapid expansion of the Soviet merchant marine (and of Aeroflot operations, perhaps), with the consequent inflow and resale of smuggled foreign goods and currency. Lastly, the impact of a sharp increase in the liquidity of the Soviet household sector should be noted. Taking total savings deposit balances at the end of the year as percent, first, of produced national income (current prices, Soviet concept) and, second, of total sales in state and cooperative stores during the year, we obtain for 1958, 6.8 and 12.9, percent; for 1965, 9.6 and 17.9 percent; for 1970, 16.1 and 30.0 percent; and for 1975, 25.0 and 36.4 percent.[43] The only other major liquid asset held by the Soviet public is currency, which might perhaps be assumed, by way of first approximation, to have grown in the aggregate proportionately with savings deposits. It is difficult to dismiss the possibility that the extraordinary rise evidenced above of the Soviet public's

[40] On the public's attitude, see especially Simes, loc. cit.; also Smith, op. cit., p. 87.

[41] See Shpiller, loc. cit., pp. 108 ff., who relates the rapid growth of corruption and illegal private activity to the public's "disorientation" after Khrushchev's destalinization campaign began in 1956; and compare Katz, loc. cit., p. 90, who imputes it to the Brezhnev era. The introduction of the death penalty by Khrushchev in 1961-62 for some economic crimes would seem to point in the direction of Shpiller's view.

[42] See "The Dawn of the Automobile Era Gives a Boost to the Black Market," *Radio Liberty Research*, RL 132/75, March 27, 1975; Yu. Kaz'min in *Pravda*, Dec. 23, 1974, p. 4; Yu. Shpakov in ibid, March 16, 1976, p. 3; and D. Epifanov in ibid., Feb. 9, 1977, p. 3.

[43] This information is available in official Soviet statistical yearbooks.

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liquidity in relation to two major relevant aggregates in the "first" economy has tended to favor the development of the second economy—and perhaps, conversely, has in itself been conditioned by the second economy.[44]

Significance of the Second Economy

Does it matter that the illegal economy and corruption are large and growing phenomena in the USSR? Cannot the same be said of many non-Communist countries as well, developed and underdeveloped? Hasn't the United States recently passed through a period of extraordinary revelations of corruption? [45] The answer to these questions is twofold. It is true that the illegalities of non-Communist countries are bad enough, and in certain underdeveloped countries are extremely serious, though expert opinion holds varied views on the subject. But, in Soviet society economic illegalities raise some peculiar and difficult problems for the system's directors.

The prevalence of illegal production and trade and of bribe-taking for private gain and enrichment —together with other negative features of the system—controverts such philosophical bases of Soviet society as the solidarity of the various population groups with one another and with the party and its leadership, the moral transformation of Soviet man since the revolution, and inevitable progress toward a society of full communism. It erodes the authority of the Communist Party and the legitimacy of the Soviet dictatorship. It raises questions, as had the Chinese earlier, concerning the USSR's moral right to lead the Communist world and to stand as a beacon to the world's revolutionary forces and as a model to the less developed world. It aggravates cynicism and lawlessness inside the Soviet Union, and even within the party itself.

Furthermore, the prevalence of economic illegalities and corruption casts doubt on the ability of the Soviet system to provide minimal material benefits to its population or to administer its own socialist economy according to its own principles and rules. In a sense, as shown earlier, it elevates the power of money in society to rival that of the dictatorship itself, rendering the regime's implements of rule less effective and less certain. And it redistributes income between social groups and regions and seriously complicates the conduct of regional and nationality policy.

Yet the regime's attitude toward "economic crimes" may well be ambivalent, and the subject of what to do about them controversial within the leadership, since economic crimes in the USSR have their positive as well as negative features in terms of economic performance indicators as defined by the authorities themselves. Hence, violations such as those within the state and collective farm sectors and the illegal and semilegal provision of household services by private individuals seem to encounter a relatively more tolerant attitude from the authorities than do "speculation," the use of socialist firms for private gain, or foreign currency violations. In any case, the ability of the authorities to effectively enforce the law on all counts seems to be severely limited—more so on some counts than on others. By the same token, their ability to allot lucrative positions within the hierarchy and to threaten citizens with individual prosecution (since nearly everyone is guilty) may add significantly to their control of subordinate hierarchies and thus strengthen the regime as a whole. But would Lenin recognize his party and his state in these conditions?

To turn to the more strictly economic implications of the second economy, a few selected observations can be made, though it should be added that much in this area remains unresearched and

[44] The anonymous author of "The 'Black' Millions" reports that in 1970 he was told by a supposedly well-informed friend that some 28 billion rubles had been diverted from normal circulation and were being hoarded "in mattresses," presumably by those who acquired them illegally. An outsider is at a loss as to how to evaluate such information. The problem of "laundering" illicit cash is a major one in the USSR. One way is to purchase lottery tickets or lottery bonds that have already won but have not yet been cashed in; the black-market price (the transaction is illegal) appears to run 1.5 to 2 times the winnings, i.e., one clean ruble equals 1.5 to 2 dirty ones; see "The 'Black' Millions," loc. cit., p. 3; and V. Maksimov in *Sotsialisticheskaya industriya*, March 25, 1977, p. 4.

[45] The extraordinary revelations, such as those of the Lockheed case, are too well known to require listing here, but a few aggregate estimates may be noted. In 1975, "crimes against business"—only one kind of "economic crime"—supposedly amounted to between $23 billion and $40 billion in the United States, and such crimes are believed to be growing rapidly in both number and scope; see *The New York Times*, Sept. 18, 1976, and *U.S. News and World Report*, Feb. 21, 1977, pp. 47-48. The larger figure includes $7 billion of bribes to corporate purchasing agents (*Dun's Review* [New York, NY], March 1977, pp. 76 ff., and letters to the editor in the May and June issues), a mirror image in the American buyers' market of bribes to materials allocators in the Soviet sellers' market. Improprieties at a steel mill construction project in Indiana (*The Wall Street Journal*, June 8, 1976, p. 1) are highly reminiscent of illegalities in the Soviet economy. The American press typically identifies the corruption losses of businesses with losses to the economy. This practice is questionable, however, for many of the crimes involved, as in the Soviet Union, are primarily redistributional and do not necessarily diminish real national wealth or income.

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poorly understood. As stressed throughout this article, the Soviet economy is in fact significantly different in its mode of functioning and in some of its dimensions than one would gather from a study of its legal and official portion alone. Much of our quantitative data calls for revision, although even considerable effort may not produce satisfactory results in this regard, owing to the nature of the subject matter involved.

As is frequently asserted, the illegal side of the Soviet second economy adds considerably to the consumer's well-being, both by enhancing the flow of goods and services available to him, qualitatively as much as quantitatively, and by providing him with extra income (the two are really opposite sides of the same coin in national accounting terms). And while in the aggregate the addition provided is not a net one, for at least some of the resources now going into the illegal—as well as legal—channels of the second economy are doubtless diverted from the socialist sector, it is still highly likely that much of the effort, energy, and enterprise invested in the functioning of the second economy would find little application in working for the state. Furthermore, the state would not necessarily devote the relevant resources fully to the cause of personal consumption; hence, the gain from the second economy in this regard is correspondingly larger.

There is, however, a serious complication in such reasoning. The state depends heavily on monetary incentives—promotions, bonuses, premia, prizes, piece-rate pay, etc.—to elicit performance from its workers and employees. Paradoxically, the effectiveness of such incentives is simultaneously strengthened and weakened by the presence of the second economy. It is weakened insofar as the pursuit of illicit gain on the job, gain which can be much larger than that provided by local incentives, deflects people's attention and efforts from approved activities. But at the same time the existence of a parallel, second-economy market greatly enhances the attraction of money, including money legitimately earned on the job, and accordingly validates with the public the worth of official monetary incentives.

A further word on the last point. There has been some discussion of late among sovietological economists as to whether repressed inflation exists in the household sector of the Soviet-type economy.[46] Based

A factory payroll is counted out at a window of the Podolsk Branch of the USSR State Bank. The bank pays out 450,000 rubles a day for the city's plants and offices. The sign on the window advises customers to count their money carefully before leaving the window.

—Soviet Life via Sovfoto.

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on the analysis presented here, it would seem that the very presence of a large second economy, and particularly of a black market, in a sense does away with repressed inflation, despite fairly rigid control of official retail prices. In the second economy, prices tend to be high enough to eliminate any overall "monetary overhang" (i.e., excess of purchasing power over the total supply of goods and services at effective prices) and to forestall a repressed inflationary situation in relation to the controlled and noncontrolled sectors taken together. However, there still remains disequilibrium of relative prices, both between controlled and noncontrolled prices and among the controlled prices themselves. This condition inevitably creates many problems for the authorities, inconvenience for consumers, and invitation for private gain.

Thus, a fundamental characteristic of the present-day Soviet economy is, broadly speaking, a two-tiered (or many-tiered) structure of prices and personal incomes, a structure common in countries with widespread black markets for goods and labor. On the lower tier are controlled wholesale as well as retail prices; on the upper tier, corresponding free prices, relevant in the legal collective-farm market and in the black market, the latter of which covers a much wider range of goods and services than the former.[47] The situation is similar with respect to labor incomes, which can be much higher in the second economy than in the "first," [48] to say nothing of the financial gains of underground traders and entrepreneurs or of the graft-swollen incomes of officialdom.

The two-tiered structure of prices and incomes which exists in the USSR and the productive contribution of the second economy lead one to question the accuracy of some Western quantitative notions about the Soviet economy. Consider international comparisons either of individual prices or of general price levels, retail and wholesale, of the sort that are frequently undertaken for various purposes and which result in statements of the following kind: "American prices (at a given time, for a given category of goods) are *x* times higher than Soviet prices," or "The purchasing power of the ruble is *y* times that of the dollar." Even after all necessary adjustments for differences in quality, servicing, and conditions of sale, the stated ratio may be quite inaccurate if only official (or list) prices in the two countries have been consulted. In the USSR the acquisition cost of a good to the buyer often may be substantially higher than the official price, owing to black-market differentials, bribes, bribe-like gifts, and the like. In the United States, on the other hand, the average actual acquisition cost is likely to be below list, thanks to sales, giveaways, discounts, under-the-counter rebates, and so forth. Thus, ratio *x* may be typically overstated, and sometimes probably greatly overstated, while ratio *y* may be typically understated.

Also in need of possibly appreciable correction are our notions of levels of personal money income in the Soviet Union. Sovietological economists generally obtain these notions from published data on individual wages and salaries, average wages and salaries for various categories of labor, and consumer budget surveys. But surely all such data—and most privately communicated figures as well—refer only to legal incomes. Therefore, they may fall significantly short of true total incomes, which include illegal or semilegal earnings and thefts on the job. Even *legal* incomes from private activity are probably seriously underreported, owing to the heavy special tax rates applying to them.

Accordingly, serious doubt is thrown, for instance, on the recent attempts in the West to reconstruct and interpret the size distribution of personal incomes in the USSR. Quite apart from the very scanty data base available for such exercises, and despite the truly ingenious methods used to circumvent this handicap, the attempts can hardly give us an accurate picture of income distribution unless unreported personal earnings are insignificant—which we doubt—or are distributed in relation to legal incomes so as not to affect the chief measures of inequality—which remains to be demonstrated.

Two specific examples may be adduced in illus-

[46] Little of this discussion has yet appeared in print; but see Richard Portes, "The Control of Inflation: Lessons from East European Experience," *Economica* (London), May 1977, pp 109-30. Portes questions the view that repressed inflation is chronic in "centrally planned economies," but gives only passing attention to the black markets.

[47] Changes in collective-farm market prices (on which there are official data) may not, therefore, be a sufficiently accurate indicator of changes in the aggregate demand-supply balance, as is sometimes assumed. Ideally, reference should also be made to a sample of black-market prices, but these are very hard for the outside observer to come by. Black-market prices likely to be quoted for their sensational implications (e.g., gold at 12 rubles per gram, as cited in *Sotsialisticheskaya industriya*, Feb. 25, 1977, p. 4) need not be representative in their movements.

[48] Our very casual inquiries indicate that (grosso modo) in Moscow in the early 1970's the remuneration of *shabashniki* was about three times that for similar labor in the "first" economy, on an hourly basis. While no accuracy is claimed for this figure, it is roughly confirmed, as of 1977, in an article by V. Lipatov in *Pravda*, Aug. 9, 1977, which speaks of daily earnings of "up to" 30 and 40 "unrighteous" rubles by plumbers servicing private apartments.

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tration. First, the Soviets publish data on average wages/salaries and *kolkhoznik* incomes by republic and by region of the RSFSR, which might be taken as indicators of relative material well-being in different parts of the country. Yet, because of the unequal significance of illegal incomes regionally, such statistics may distort the picture. And second, two occupations on which there is a fair amount of information regarding official rates of remuneration are those of physicians and of retail-trade employees. The rates are relatively low, those of physicians being especially low in international terms. But physicians collect large "tips" and conduct a certain amount of private practice which earns them substantial fees; and retail-trade employees collect large "tips" also, and are reputed to be heavily involved in "speculation." Under these circumstances, what is the significance of official data?

Mention has already been made in passing of the fact that production data for some individual commodities, especially consumer goods, may require significant upward revision to account for unreported, mostly illegal, production. Similarly, some output data call for downward adjustment, owing to the deliberate overreporting characteristic of the Soviet economy.

As for data on the national income or product as a whole and its major components, the exclusion of illegal activities in the Soviet instance follows standard world practice. Nevertheless, a strong case can be made for the inclusion of illegal activities in the data of those countries (at least for the most relevant sectors of the economy) where illegalities are so widespread and significant as to appreciably affect some portions of the national accounts, as in the USSR. If this were done, possibly with some adjustment for the two-tiered nature of prices and incomes, it might require notable revisions in our breakdown of Soviet national income by sector of origin, and of the national product by end use. It might even alter our estimates of Soviet rates of growth, overall and by sector and end product. But the recomputation suggested will be very difficult to do with any accuracy in the foreseeable future.

Finally, one might ask about relationships between the second economy (and corruption) and prospects for institutional change in the Soviet economy. An adequate response, in this author's view, must take three factors into consideration.

(1) Soviet authorities may find it necessary to increase rates of remuneration and incentive pay in a selective manner, in order to compete with the pecuniary attraction of illicit side incomes on the job. Even so, in many cases it will probably be rather futile for them to try to compete.

(2) They may expand the scope of *legal* private activities, i.e., may legalize some activity that is now proscribed (thus recognizing an inability to eradicate it), forcing down its prices, and diminishing both the burden of law enforcement and the extent of corruption. In this case, they would be following the example of several East European countries, where the scope of legal private activity is considerably wider than in the USSR (but where much economic illegality nonetheless persists). In fact, the draft of the new Soviet constitution made public on June 4, 1977, contains some open-ended wording that may be interpreted to indicate a trend in this direction. It provides for lawful "individual labor activity" based exclusively on the individual labor of citizens and members of their families in the areas of crafts and trades, agriculture, services to the public, and *"other forms of labor activity."* [49]

(3) As for the likelihood of another try at economic reform (decentralization, liberalization, etc.) in the *state sector,* it must be borne in mind that the second economy, grafted onto the present institutional setup in the USSR, is a kind of spontaneous surrogate economic reform that imparts a necessary modicum of flexibility, adaptability, and responsiveness to a formal setup that is too often paralyzing in its rigidity, slowness, and inefficiency. It represents a de facto decentralization, with overtones of the market. It keeps the wheels of production turning. At the same time, the second economy in the state sector is a source of considerable illicit income, in high places as well as low. There must be very many persons of power and influence who have a strong vested interest in the present situation and who may well resist and sabotage any important steps toward formal liberalization of the economy or, especially, toward the elimination of the now ubiquitous administrative management of scarcity. Such considerations need not be decisive in determining prospects for economic reform, but they may well be more than minor.

In any case, it seems clear that the Soviet second economy and the phenomena associated with it are here to stay for some time, and with them the social institutions and public mentality that have helped make them what they are today.

[49] See Article 17 of the Draft Constitution, *Pravda*, June 4, 1977. Emphasis added.

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The Soviet Union: An Energy Crunch Ahead?

By Leslie Dienes

Compared to all other industrialized nations and indeed most nonindustrialized nations as well, the USSR is in an enviable position concerning its energy resources. Today, the Soviet Union is the world's largest crude oil producer, and her total output of all forms of energy is more than 70 percent of that of the United States. The USSR holds third place (after Saudi Arabia and Iran) in the export of petroleum and in the export of all fuel as measured in total calorific content. Equally important, her total fossil fuel and waterpower potentials far exceed those of any other state, and her proven reserves of coal and natural gas are easily first in the world.[1]

Despite such resources, Soviet planners and scholars are not complacent about the Soviet energy situation over the decades to come. Indeed, the spate of articles appearing in the professional literature since the early 1970's and the many alternative, even contradictory, proposals put forward by experts, institutions, and planning organs regarding the optimum path of energy development beyond 1980 reveal a clear concern. Within the framework of the 1976-80 Five-Year Plan, one can discern a reasonably comprehensive energy policy, but it is quite apparent that the Soviet Union has yet to formulate a comprehensive energy policy much beyond 1980. At the beginning of 1977, the Fifteen-Year Plan (1976-90) for the fuel industries had not yet been adopted or even prepared in any great detail.[2] Instead, Soviet planning organs today seem engaged in an ongoing and crucial energy debate, the outcome of which will largely fix the structure of the energy economy into the 1990's. Prolonged procrastination or lack of resolve could have its own long-term impact if only by default.

This article explores Soviet energy prospects for the 1980's (i.e., up to 1990) and examines the issues involved in the current policy debate. Specifically, it argues that *even with continued steady growth in Soviet petroleum output,* the USSR will find it very difficult to satisfy its growing domestic fuel demand and at the same time maintain net oil exports at the present level. Unless annual coal production can be increased to well over one billion physical tons by 1990, itself a very difficult goal to achieve, the pressure on hydrocarbons, especially oil, will continue to intensify.

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[1] United Nations, Department of Economic and Social Affairs, *World Energy Supplies, 1975,* New York, NY, 1976; US Central Intelligence Agency, *Handbook of Economic Statistics, 1976,* Washington, DC, 1976, pp. 75-85; *Vneshnyaya torgovlya SSSR v 1975 godu* (USSR Foreign Trade in 1975), Moscow, "Statistika," 1976, p. 68; *World Oil* (Houston, TX), Aug. 15, 1976, p. 44; and a variety of other sources. The CIA estimates of Soviet proven oil reserves are much more conservative than those made by the American oil industry or those occasionally appearing in the Soviet press.

[2] For a discussion of the theoretical modeling work required to arrive at a 15-year plan for energy, see A. Vigdorchik et al., "Methods of Optimization of the Long-Range Development of the USSR Fuel-Energy Complex," *Planovoye khozyaystvo* (Moscow), No. 2, 1975, pp. 29-37.

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From the late 1950's on, Soviet energy strategy has followed the world trend of accelerated development and utilization of oil and gas resources. Petroleum products and, later, natural gas have replaced solid fuels in an increasing number of domestic uses. In addition, crude oil and related products have again become crucial export earners for Moscow (as they were before World War I and during the 1920's); Soviet natural gas has begun to play a similar role. By the early 1970's, however, export and domestic needs commenced to come into conflict.

In light of technological and geographic constraints on the expansion of hydrocarbon supplies, and barring the discovery and exploitation of new super-giant oilfields in the very near future, the USSR is now at a point where it can only maintain current levels of petroleum exports by drastically curtailing expansion of domestic demand and depressing the growth rate of energy consumption as a whole. Nuclear power and hydroelectricity, and even natural gas, will be unable to close the gap, and despite vast resources, the opportunities to restructure the fuel economy toward coal before the 1990's will be severely limited. Annual production of one billion or even 1.3 billion tons of coal would still be insufficient to arrest the decline in the relative contribution of this fuel to the energy balance. Yet to exceed even one billion tons would require solution of enormous concrete technical-economic problems, long years of necessary lead time, and investment on a hitherto unprecedented scale. Over half of the increment during the 1980's would have to come from the vast lignite fields of East Siberia, but as we shall see below, the problem of shipping and utilizing these lignites on such a scale is very far from solved. Hence, the future of this resource is today the subject of both intense lobbying and serious doubts.

The Growth of Energy Consumption

As in any country, the yearly growth rate for aggregate energy consumption in the USSR has fluctuated widely. However, throughout the 1950's and 1960's it showed a substantial decline. Significant technological improvements in energy utilization processes, the shift to more efficient hydrocarbon fuels, and the general slowdown of economic, especially industrial, growth all probably contributed to the decline, though it is impossible to assign relative weights to these various influences. Since 1970, however, the trend toward lower rates of increase in energy consumption is no longer evident. The 5.1-percent average yearly growth in consumption from 1970 through 1975 (with individual annual growth rates ranging from 4.4 to 6.2 percent) well exceeded the average rate for the second half of the 1960's and matches it even if the anomalous drop in consumption in 1969 is excluded from the latter rate.[3] If one takes the production targets of the Tenth Five-Year Plan (for 1976-80) and deducts from them the rather firm Soviet export commitments for various fuels, one can get a rough idea of domestic consumption plans for 1980; these data are presented in the first portion of Table 1.[4] Such levels suggest an average planned growth rate for total domestic energy consumption of somewhat

[3] These data are taken from tables on yearly fuel-energy balances in various annual volumes of *Narodnoye khozyaystvo SSSR* (The USSR National Economy), published in Moscow by the State Statistical Administration. Nuclear electricity is not shown explicitly in Soviet statistics on fuel balances and does not appear to be included in such tables. However, as recently as 1975, the contribution of nuclear power to the aggregate energy supply still amounted to under 0.5 percent of the total.

[4] The targets (or ranges) for 1980 production of basic energy sources presented in Table 1 are those approved by the 25th Congress of the Soviet Communist Party in its "Basic Directions for the Development of the USSR National Economy in 1976-80," published in *Pravda* (Moscow), March 7, 1976. In October 1976, the USSR Supreme Soviet proclaimed more specific targets, adopting for gas and oil the maximum figures of the earlier ranges, and for coal and lignite a target of 805 million tons. See ibid., Oct. 28, 1976.

The author felt that the October targets were more hortatory in nature than feasible; therefore, he retained the March ranges for the three energy sectors mentioned. In deriving 1980 consumption levels for these sectors, he took the midpoints of the ranges for oil and for coal and lignite and a figure some 8 billion cubic meters above the midpoint for natural gas (where he felt the prospects were somewhat brighter).

The USSR Ministry of the Gas Industry recently predicted that annual gas exports at the end of the 1976-80 period will be almost triple the 1975 volume of 19.333 billion cubic meters, and the jump of some 6.5 billion cubic meters reported for 1976 seems to support this prediction. With annual gas imports from Iran and Afghanistan expected to increase by some 2-3 billion cubic meters by the start of the 1980's from the 1975 level of 12.42 billion cubic meters, one can anticipate *net* Soviet gas exports in the vicinity of 35 billion cubic meters a year by the beginning of that decade. Crude oil production targets and refinery expansion plans, if fulfilled, should leave some 110 million tons of surplus crude. Although a moderate growth in imports seems likely, a *net* export of 120 million tons of crude oil *and* petroleum products appears reasonable. Coal export calculations take into account a contract with Japan for export from the Chul'man (Neryungri) field, some increase in the needs of Moscow's East European partners for coking coal, and continued imports from Poland. See *The Oil and Gas Journal* (Tulsa, OK), July 19, 1976, pp. 40-41; Moscow Narodny Bank, *Press Bulletin* (London), Aug. 20, 1975, p. 3, Dec. 3, 1975, p. 4, and Aug. 3, 1977, p. 4; *Soviet Weekly* (London), Aug. 14, 1976.

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Table 1: Projections of the Soviet Energy Balance, 1980 and 1990

	Production in physical units	Net exports in physical units	Consumption in physical units	Consumption in SF[a] equivalent (mil. tons)
PROJECTIONS FOR 1980				
A. By energy sector				
Natural gas (bil. cu. meters)	400-435	35	390	466
Petroleum (million tons)	620-640	120[b]	510	729
Peat (million tons)	67	—	67	25
Shale (million tons)	44	—	44	15
Wood	n.d.	—	n.d.	20
Hydroelectricity (bil. kwh.)	200	—	200	25 (65)
Nuclear power (bil. kwh.)	80	—	80	10 (26)
Coal and lignite (mil. tons)	790-810	20	780	540
B. Overall consumption				**1,830 (1,886)**
PROJECTIONS FOR 1990				
A. Overall consumption Assuming annual growth (1980-90) of				
4.5 percent				**2,842 (2,929)**
4.7 percent				**2,897 (2,985)**
5.0 percent				**2,981 (3,072)**
B. By energy sector				
Natural gas (bil. cu. meters)	900	90	810	968
Petroleum (million tons)	800	100[b]	700	1,001
Peat (million tons)	85	—	85	31
Shale (million tons)	65	—	65	22
Wood	n.d.	—	n.d.	10
Hydroelectricity (bil. kwh.)	285	—	285	35 (86)
Nuclear power (bil. kwh.)	450	—	450	55 (135)
Coal and lignite (mil. tons)[c]				
	1,165 (1,060)	**30**	**1,135 (1,030)**	**720 (676)**
	1,270 (1,185)		**1,240 (1,155)**	**775 (732)**
	1,495 (1,375)		**1,465 (1,345)**	**859 (819)**

NOTE: Figures in parentheses throughout the table reflect an alternative calculation for the energy contribution of *primary electricity*, i.e., hydroelectric and nuclear power. Original calculations were made at the actual heat value of electricity—123 grams of standard fuel (or 861 kilocalories) per kilowatt-hour. The alternative calculation reflects the fuel required to generate the same number of kilowatt-hours in conventional thermal plants. Assuming a steady technological advance, the author set this figure at 326 grams of SF (or 2,282 kcal.) per kwh. in 1980 and at 300 grams of SF (or 2,100 kcal.) per kwh. in 1990. The original calculation reflects the virtual 100-percent efficiency of converting electricity to heat. The alternative calculation reflects the thermodynamic limitations on conversion of heat to electricity, which yields only 40-percent efficiency in modern thermal plants and considerably less in entire thermal systems. The first understates the contribution of primary electricity, since electricity is a more flexible and valuable form of energy than heat. The alternative probably overstates the contribution of primary electricity, since many conventional thermal stations provide both useful heat *and* electricity, which hydro plants and even nuclear plants are still unable to do.

[a] SF = standard fuel. 1 ton of SF = 7 million kilocalories, or roughly the heat value of 1 ton of *very good* hard coal. In the *Narodnoye khozyaystvo SSSR*, the Soviet economists give the following conversion coefficients: 1 ton crude oil = 10 million kcal. or 1.43 tons of SF; 1,000 cubic meters of gas = 8.4 million kcal. or 1.19 tons of SF. Soviet lignites yield from 2 to 4 million kcal. (0.20 to 0.57 ton of SF) per physical ton; hard coals, from 4 to 6.5 million kcal. (0.47 to 0.93 ton of SF).

[b] Includes both crude oil and refinery products.

[c] Unlike the figures for other energy sources, the 1990 figures for coal and lignite are not independent projections but a set of residuals derived by deducting projected consumption of all other sources from the three sets of projections for overall consumption in 1990.

SOURCES: See the discussion and footnotes in the text on pp. 42 and 44.

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over 5 percent per annum for the second half of the 1970's.

Looking ahead to the 1980's, one cannot project much of a drop in the rate of growth of Soviet domestic energy requirements—barring, of course, a major slowdown in the rate of growth of Soviet gross national product (GNP). Already by the end of the 1960's, the Soviet Union had taken most of the obvious technological steps to improve energy efficiency. Further appreciable decline in the growth rate of energy use is likely to come only from vigorous and organized conservation measures and as a result of continued retardation in overall economic growth. Energy conservation is already being accorded an increased emphasis, while an impending severe labor shortage during the 1980's most probably will adversely affect the rate of overall economic development. At the same time, there also are forces at work which could increase the energy intensity of the economy. Among them are the mounting dependence on more marginal and less accessible natural resources (whose exploitation requires massive energy inputs), electrification of the agricultural and communal-economy sectors, and the continued—if slow—expansion of the use of motor vehicles.

Balancing all these influences and assuming that Soviet GNP increases at 4.5-5.0 percent annually in the 1980's, one must conclude that gross Soviet energy consumption in that decade is not likely to grow by less than 4.5 percent per annum and will probably grow more rapidly. In Table 1, the 1980 level of energy consumption has been projected to 1990 at three possible annual growth rates: 4.5, 4.7, and 5.0 percent. This suggests a total domestic consumption in 1990 of some 2.9 to 3 billion tons of standard fuel (SF). (As noted in the table, the figures vary according to the method by which one calculates the contribution of primary electricity—i.e., hydroelectric and nuclear power—to the energy balance.) To this domestic consumption claim on energy production, one can add an export requirement of about 280 million tons of SF. The latter figure assumes a continued vigorous growth in net gas exports, a modest expansion in the export of coal, maintenance of current levels of oil shipments to other countries of the Council for Mutual Economic Assistance (CMEA), and a net petroleum export to non-Communist nations in the modest range of 20-25 million tons a year—all summed to SF equivalent according to the conversion factors given in Table 1.

Such forecasts of the potential total demand for energy seem within the ballpark. While it is true that the Soviet forecasts for 1990 which were compiled in the early 1970's foresaw higher levels of energy production (and a 1976 Western projection based on sectoral fuel coefficients—i.e., on fuel inputs in calorific units per 1,000 rubles of output in different industries and other economic sectors—likewise indicated a much faster rate of growth than projected in Table 1),[5] there is evidence that Soviet projections for 1990 have more recently been appreciably lowered.[6]

The projections for the 1990 levels of oil and gas production presented in Table 1 are not really as conservative as they may appear and, as shall be argued below, tend to be supported by recent literature in the West and the latest judgment of many Soviet scholars. For purposes of the calculations in Table 1, it was assumed that the level of nuclear power forecast was attainable. When the projected output of peat, shale, and wood is also cranked in, it is the coal and lignite sector which emerges as the main buffer. Thus, in Table 1 the production requirement for coal is made to vary in response both to differences in the way the energy contribution of hydroelectric and nuclear power are figured into the energy balance and to the three different hypothetical rates of growth of overall energy consumption. Depending on which of these various approaches is taken, we find that annual coal production must increase by at least 260 million (and even as much as 695 million) tons between 1980 and 1990. This requirement may be compared with a targeted increase in the annual production of

[5] For an account of the earlier Soviet forecasts, see CIA, *Soviet Long-Range Energy Forecasts*, A(ER) 75-71, Washington, DC, 1975. For the Western study, see D. R. Kazmer, "A Comparison of Fossil Fuel Use in the US and USSR," in US Congress, Joint Economic Committee, *Soviet Economy in a New Perspective*, Washington, DC, US Government Printing Office, 1976, pp. 517-21.

[6] See V. Z. Tkachenko, "Methods of [Conducting] Research on Material Links of the Fuel-Energy Complex to Branches of the National Economy" *(Metody issledovaniya material'nykh svyazey toplivnoenergeticheskogo kompleksa s otraslyami narodnogo khozyaystva)*, unpublished Candidate dissertation, A/N SSSR, Sibirskoye otdeleniye, Irkutsk, 1975, pp. 103-04 and 109, and A. P. Levin and V. G. Udovenko, *Prirodnyye resursy i effektivnost' proizvodstva* (Natural Resources and Production Efficiency), Moscow, Znaniye, 1975, p. 55.

At the same time, N. V. Mel'nikov (a member of the USSR Academy of Sciences) and M. A. Vilenskiy, two leading Soviet energy experts, both indicated in interviews with the author in late 1976 that Soviet gross energy consumption most likely will grow faster than GNP during the 1980's and certainly at a higher rate than the average of 4.5 percent per annum used as the lower ranges in the estimates in Table 1.

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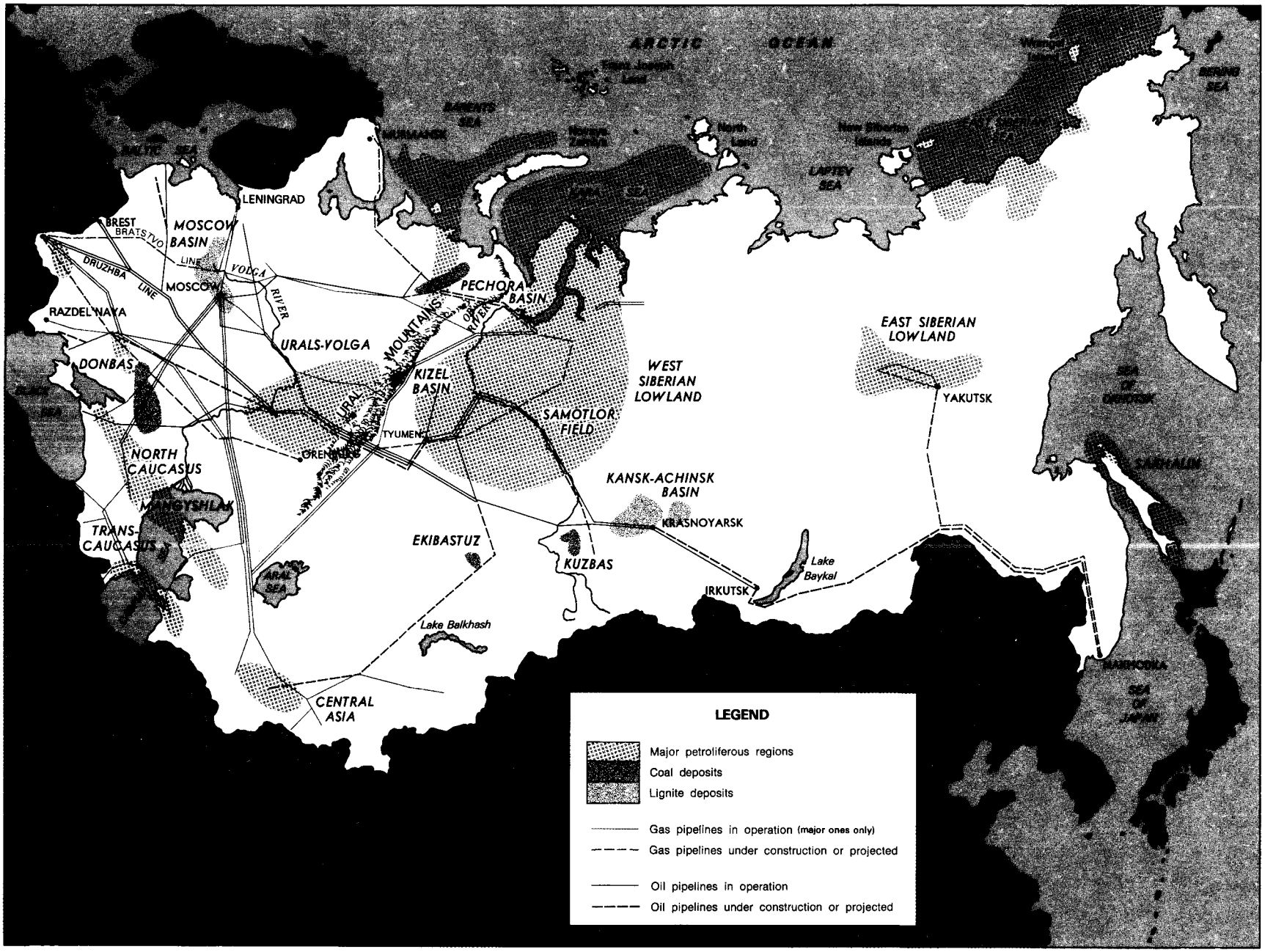

Soviet Coal and Hydrocarbon Resources

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coal of roughly 100 million tons in the period 1976-80.

The pressure on coal will become even more intense should the nuclear program fail to achieve the ambitious rates targeted. Already in the current five-year plan atomic power stations are expected to provide more than one fifth of all incremental capacity for power generation and some 35 percent of incremental capacity in the European part of the Soviet Union.[7] To put almost four times as much new capacity on stream during 1976-80 as in the previous ten years and to nearly quadruple the 1980 total during the 1980's may not be fully realizable. In this regard, it should be observed that the original plans for the 1970-75 period were in fact far from achieved and that earlier projections for 1980 have already been significantly lowered.

One final observation should be made. Conventional fossil fuels will continue to dominate the Soviet, as well as the world's, energy balance. Accounting for 95 percent of all energy input into the Soviet economy today, they will still contribute over 75 percent at the end of the century. This will be the case even if nuclear power and hydroelectricity jointly contribute one half of all electric power output, because only one quarter of the gross energy supply today is converted to electricity and this share is unlikely to reach 50 percent before the 21st century.

The Problem of Geography

The Soviet energy problem is not merely a matter of producing enough energy to equal aggregate demand (internal and external). It is also tied in with disparities between the locus of current and foreseeable demand, on the one hand, and the location of available energy resources, on the other. In a word, the Soviet Union must furnish its own European provinces and, to a large extent, its East European partners with fossil fuels the *incremental* supplies of which must now come almost entirely from Soviet Asia.

Almost four fifths of Soviet energy today is consumed in the European USSR (including the Urals and the Caucasus), and some 65 percent is consumed west of the Urals alone.[8] Despite restrictions on new energy-intensive activities in these regions, even strongly pro-Siberian planners expect the European provinces to account for at least 70 percent of total Soviet energy consumption 15 years hence. Yet it is crucial to realize that already during 1970-75, these provinces were only capable of a mere 7.4 percent total increase in their energy production (1.4 percent a year), and only a 3 percent total growth is forecast for the remainder of the decade.[9]

By 1980, the European USSR is expected to satisfy no more than three fifths of its energy requirements from its own resources, and by 1990, only two fifths.[10] In the 1976-80 Plan, regions west of the Urals and in the Caucasus are to account for less than a tenth of the total increment in annual coal production, to yield no increase at all in gas output (increments in Orenburg Oblast and the Komi ASSR will merely cancel out the decline elsewhere), and to register a decline of 5-10 percent in crude oil production.[11] Output of hydrocarbons, especially oil, will drop even faster in the European USSR after 1980.[12] Hence, the already massive flow of fossil fuels from the Asiatic part of the country westward, whose annual volume increased 2.8 times from 1970 through 1975, must double during the current plan period (see Table 2).

Likewise, it is the resources of Soviet Asia which increasingly must help meet the critical hydrocarbon fuel needs of the Soviet Union's six East European partners in CMEA—Bulgaria, Czechoslo-

[7] A. M. Nekrasov and M. G. Pervukhin, Eds., *Energetika SSSR v 1976-1980 godakh* (USSR Energy in 1976-80), Moscow, "Energiya," 1977, pp. 114-15.

[8] V. Kudinov and S. Litvak, "The Fuel-Energy Balance," *Vestnik statistiki* (Moscow), No. 9, 1972, p. 42, and V. L. Gol'dzberg, V. Z. Fisher, and A. I. Botkilin, *Perspektivy razvitiya gazovoy promyshlennosti* (Prospects for the Development of the Gas Industry), Book 4 in the series, *Razrabotka neftyanykh i gazovykh mestorozhdeniy* (Exploitation of Oil and Gas Fields), Moscow, All-Union Institute of Scientific and Technical Information, 1972, pp 44-45.

[9] A. M. Nekrasov and V. Kh. Khokhlov, "Electrical Power in the Tenth Five-Year Period," Izvestiya MINVUZ SSSR, *Energetika* (Moscow), No. 9, 1976, p. 4, and Nekrasov and Pervukhin, op. cit., p. 148.

[10] G. V. Yermakov et al., "Trends in the Development of the Nuclear Power Industry," *Ninth World Energy Conference, Transactions*, Detroit, 1974, Vol. 5, p. 279.

[11] Nekrasov and Pervukhin, op. cit., p. 147 and Table 8-2, p. 149. Also see Levin and Udovenko, op. cit., p. 57, and *Neftyanik* (Moscow), No 5, 1976, pp. 1-4.

[12] Although vigorous off-shore exploration and, to a lesser extent, deeper drilling may still locate significant new reservoirs, production in the Middle Volga region is expected to fall precipitously after 1980. See *Sovetskaya Tatariya* (Kazan'), Nov. 7 and 27, 1976. Only small pools are expected to be found in the Tatarskaya and Bashkirskaya ASSR's, and Soviet drilling technology is admitted to be not yet prepared to tackle the complex geology of the Caspian Lowland or the very deep strata in the North Caucasus in the near future. See *Problemy geologii nefti, Vypusk 9*, Moscow, Ministry of the Oil Industry and the USSR Academy of Sciences, Institute of Geology, 1976, pp. 6-7.

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Table 2: Westward Movement of Fuel from Soviet Asia

Fuel	Year 1970	1975	1980 (Planned)
Oil (million tons)	15.0	113	242
Natural gas (bil. cu. meters)	44.8	104	224
Coal (million tons)	65.8	96	120
TOTAL (million tons of SF[a])	130.0	361	708

NOTE: Although the source did not so specify, these data apparently include exports through western border points and ports of the Soviet Union.

[a] SF = standard fuel. For calculations of SF equivalents for physical units of fuel, see the footnotes to Table 1.

SOURCE: A. M. Nekrasov and M. G. Pervukhin, Eds., *Energetika SSSR v 1976-1980 godakh* (USSR Energy in 1976-80), Moscow, "Energiya," 1977, p. 148.

vakia, the German Democratic Republic, Hungary, Poland, and Romania. The USSR seems to be committed to shipping some 70 million tons of oil and 20-21 billion cubic meters of natural gas (or a total of nearly 125 million tons of SF) annually to these countries by 1980, although there are signs that this commitment is now under review.[13] While petroleum deliveries to these states may not grow further and may even decline in the 1980's, they cannot, in the author's view, be phased out completely, and any decrease will be gradual. Gas exports, on the other hand, may easily double or even triple in the next decade. Although the great bulk of Soviet fuel exports to date have originated in fields west of the Urals, that is changing. The West Siberian oil fields today are hooked up with Eastern Europe via the Druzhba pipeline, and the Central Asian natural gas deposits and one giant field in Northwest Siberia, to be followed shortly by more of the huge reservoirs of gas around the Ob' estuary, are similarly linked to Eastern Europe via the Bratstvo gas pipeline.

The recent major increases in the world prices of oil and gas and the growing concern over the adequacy of the world hydrocarbon resources to meet rising demand have underscored and accentuated the impact of geography on Soviet energy policy for the future. In the first place, distance and uncommonly harsh environments limit expansion plans for Soviet gas and oil, those fuels which are the most valuable and which have the highest export earning potential. In the second place, location and transport costs (or, in some important cases, the outright impossibility of haulage) severely restrict prospects for developing the vast and easily-mined surface coal deposits of Soviet Asia. Not only are there negligible prospects for substituting coal for oil and gas, but even the maintenance of the relative proportion of coal in the fuel balance would require immense increments of production—gains which the Soviet coal industry is not likely to be able to provide over the next 15 years.

Prospects for Oil and Gas

Having looked briefly at overall Soviet energy requirements through 1990 and at some of the geographic constraints on satisfaction of these needs, we can now turn to a more detailed discussion of individual Soviet energy sources, starting with hydrocarbons.

With vast sedimentary basins still poorly prospected and off-shore areas virtually untouched, ultimate reserves and eventual production of hydrocarbons are probably more a matter of conjecture

[13] The original commitments to all other CMEA states for the 1976-80 period were as follows: 364 million tons of oil, about 90 billion cubic meters of natural gas, and 67 billion kwh. of electricity. The overwhelming bulk of such shipments go to the Soviet Union's six East European partners. See Yu. F. Kormnov, *Razvitiye sotsialisticheskoy ekonomicheskoy integratsii* (Development of Socialist Economic Integration), Moscow, "Ekonomika," 1976, p. 31. Also, *The Economist* (London), July 5, 1975, p. 123; *Figyelö* (Budapest), No. 19, May 1974, p. 7; and Moscow Narodny Bank, *Press Bulletin*, June 19, 1974, pp. 4-5.

These commitments may have been based on faulty planning. The Soviet Union today seems to feel that such volumes of exports to CMEA are incompatible with a renewed drive to export oil to the developed capitalist world. In September 1976, Czechoslovak Party Secretary and Presidium Member Josef Kempny made a semi-official announcement that Soviet petroleum deliveries to Czechoslovakia over the period 1976-80 would be smaller than originally scheduled. *Petroleum Economist* (London), October 1976, p. 393, and December 1976, p. 454. A similar warning related to Soviet oil exports to CMEA countries has also come to the author's attention from a Hungarian source. However, the latest trade figures show that Soviet oil exports to all CMEA countries in 1976 grew to 77.6 million tons, as opposed to 71.7 million tons in 1975. While the increase was smaller than the reported increase in oil exports to the industrialized West, the total of oil exports to CMEA states was still consonant with the 1976-80 target cited above. See Moscow Narodny Bank, *Press Bulletin*, Aug. 3, 1977, pp. 3-4.

Soviet actions will clearly be influenced by developments in world market prices for oil. Were the USSR able to earn more by exporting *current quantities* to Western markets at *higher* prices, exports promised to Eastern Europe for the remainder of the decade might well be met. Delays in planned expansion of refinery capacity may have undercut Soviet hopes to increase sales of refined products. See *Petroleum Economist*, January 1977, p. 27.

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in the USSR than in any other country. While attempts to grapple with this issue are beyond the scope of the present article, a few words on the topic are offered here in support of the projections in Table 1.

Soviet proven gas reserves are by far the largest in the world and fully adequate to guarantee steady and substantial increments in gas output until the end of the century. Proven oil reserves, on which only fragmentary data are available, would appear to be more limited and incapable of assuring similar expansion without a significant improvement in the discovery rate. To guarantee the output of oil projected for 1990 in Table 1 and maintain the present estimated 20-1 reserve-production ratio, new oil reserves of some 30 billion tons (i.e., three times the current estimated reserves in the proved and indicated—A + B + C_1—categories) would have to be discovered and prepared. Even in 1976-80, new reserves created must equal all existing ones to make up for declining output in old fields.[14]

The constraints of physical geography and distance affect both gas and oil, though somewhat differently. Siberia must remain the main source of increment for both fuels in the foreseeable future. The West Siberian Lowland must contribute four fifths of the increments in Soviet gas output until 1980, and after that must account for more than 100 percent of *net* gains in output as production declines elsewhere. As for oil, already in the current five-year plan the region is slated to contribute more than the *net* nationwide increase.[15] Virtually all the West Siberian gas fields are located in the northern third of the Plain, where permafrost is areally continuous, while the main oil reserves found so far are in the primeval swamps of the Middle Ob' Basin. In the northern third of West Siberia, road construction costs are reported to reach 1.1-1.6 million rubles per kilometer; along the Middle Ob' such costs are over half a million.[16] Pipeline construction is correspondingly expensive, and the outlays involved in the two regions differ in much the same fashion as those for road construction.

Engineers of the "Giprotyumen'neftegas" Institute experiment with use of a harpoon gun to anchor oil and gas pipelines in the peat bogs of Samotlor, site of West Siberia's biggest oil field.

—Photo by I. Sapozhkov/TASS via Sovfoto.

To reach the 1980 targets, 242 million tons of oil and about 224 billion cubic meters of gas (according to a second source, 213 million tons and 230 billion cubic meters, respectively) will have to be piped from the Asiatic to the European portions of the USSR and beyond. However, present pipeline capacities only permit the transport of roughly half of these amounts of both oil and gas.[17] For a number of years now, the Soviet Union has been forced to lay gas and oil pipelines at the rate of an Alyeska pipeline every 4-5 weeks, and this state of affairs will continue well into the future.[18] The transport

[14] *Ekonomicheskaya gazeta* (Moscow), No. 11, March 1974, p. 7, and *Neftyanoye khozyaystvo* (Moscow), No. 7, 1976, p. 4.

[15] *Sovetskaya Rossiya* (Moscow), Oct. 12, 1976, p. 2; S. A. Orudzhev, *Gazovaya promyshlennost' po puti progressa* (The Gas Industry on the Road to Progress), Moscow, "Nedra," 1976, p. 39, and *Gazovaya promyshlennost'* (Moscow), No. 11, 1976, p. 3. For an earlier discussion of West Siberia's hydrocarbon resources, see John P. Hardt, "West Siberia: The Quest for Energy," *Problems of Communism* (Washington, DC), May-June 1973, pp. 25-36.

[16] *Gazovaya promyshlennost'*, No. 3, 1976, p. 14.

[17] See Nekrasov and Pervukhin, op. cit, p. 148, and B. S. Kozin, *Krupnyy shag v sozdanii yedinoy transportnoy sistemy* (A Huge Stride in the Creation of a Unified Transport System), Moscow, "Ekonomika," 1976, pp. 21-22.

[18] The 1976-80 Plan calls for construction of 36,500 kilometers of new gas pipelines (almost 30 percent in 56-inch pipe) and 300 new compressor stations (as opposed to 148 in the previous five-year period). *Ekonomicheskaya gazeta*, No. 6, February 1976, p. 2, and *Gazovaya promyshlennost'*, No. 11, 1976, p. 2.

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bottleneck is particularly serious in the case of natural gas, since with present technology gas pipeline can transmit fuel with only about one fifth of the calorific value of that which can be carried by an oil pipeline of the same diameter. Major leaps in the technology of gas transport (such as liquification or radical cooling to —70 degrees centrigrade) are not planned during the 1980's. Further increases in pipeline diameter beyond a maximum of 64 inches seem to have been put off indefinitely for both technological and economic reasons. The transport constraint on the expansion of gas output will thus remain serious, and, despite the vast reserves, gas delivery will grow only at a measured pace, without a spectacular upswing.[19]

It was because of this geography and the associated transport difficulties that Soviet policy in the later 1960's and early 1970's deemphasized output of West Siberian gas. Ambitious earlier plans for these vast fields, whose reserves alone today exceed those of all of North America, were postponed and systematically scaled down. Simultaneously, older fields west of the Urals (and in Central Asia) were pressed harder, leading to premature pressure drops and exhaustion. From 1964 to 1974, both the rate of growth and the absolute increments of gas production declined, to pick up again only in the last three years.[20] While the uncertainties about the 1980 output plan for West Siberia (originally given as a range of from 115 to 145 billion cubic meters) seem to have been reduced, with the target being firmed up at 139 billion cubic meters,[21] expectations for the latter part of the 1980's are still obscure. However, it is clear that earlier Soviet projections of over 500 billion and even 600 billion cubic meters of production from West Siberia and over 1,000 billion cubic meters from all Soviet regions by 1990 have dropped very significantly.[22]

It should be noted that the ambitious plans for development of West Siberian gas face serious constraints with regard to the ability of industry to supply the necessary materials and equipment. A recent Soviet study gives some idea of the immensity of the task involved in attaining even 900 billion cubic meters of annual output by 1990 for the USSR as a whole. Even if there were only minimal drops in production at older fields, it would be necessary to bring an additional 100 billion cubic meters of production on line in West Siberia every 2-3 years and deliver it to market. This, in turn, would mean that to service *the West Siberian gas industry alone,* there would have to be the following increases in annual production capacity by 1990: 32 million tons of rolled steel (almost one third of present capacity), 300,000 tons of non-ferrous metals, and close to 25 million tons of cement (one fifth of present capacity).[23] Imports could ease the burden somewhat, but at the price of mortgaging substantial portions of the gas to foreign suppliers.

Despite a similarly forbidding, though perhaps slightly less severe, environment, the situation with respect to West Siberian oil is in some ways opposite to that related to gas. Responding to the production plateau reached by the Volga reservoirs, the decline of output in other European provinces, and serious problems with the heavy crudes of Kazakhstan, Soviet oilmen intensified their effort to maximize the flow from the Middle Ob' region. Every year since the late 1960's, production from Tyumen' Oblast has been pushed above planned figures by an increasing margin. This feat has been achieved by applying the bulk of the effort to the giant Samotlor field. With 110 million tons in 1976, it accounted for three fifths of West Siberia's and 21 percent of the Soviet Union's total output and reportedly has been producing more crude than any other field in the world except Saudi Arabia's Ghwar.[24] While proving Soviet determination, this crash program resulted in a great deal of wastage and much damage to field pressure. The rate of water incursion has been reported to be even faster, and yields of older wells have declined more rapidly, than was the case in the Volga fields.[25]

[19] It is now contemplated to allow natural cooling of the trunklines (to —20 or —30 degrees centigrade) in wintertime by the outside temperature, which would increase throughput capacity by 10 percent and help diminish storage requirements in the cold season. In addition, the decision to construct the first Soviet factory for welded multiwalled pipes of 48- and 56-inch diameter capable of withstanding pressures of up to 120 atmospheres has been announced. However, the first section of such pipeline, with a capacity of one quarter of a million tons, is not planned before 1979. Orudzhev, op. cit., pp. 38-39 and 90; G. Z. Khaskin et al., *Osnovnyye fondy gazovoy promyshlennosti* (Fixed Assets of the Gas Industry), Moscow, "Nedra," 1975, pp. 61-68; and *Izvestiya* (Moscow), Dec. 12, 1976, p. 2.

[20] Orudzhev, op. cit., pp. 26-32, and *Pravda,* Dec. 13, 1976, p. 1.

[21] *Ekonomicheskaya gazeta,* No. 16, April 1977, p. 12.

[22] Tkachenko, op. cit., pp. 103-04 and 109, and V. A. Smirnov, "The Gas Industry," *Ekonomika i organizatsiya promyshlennogo proizvodstva* (Novosibirsk), No. 5, 1975, p. 50.

[23] Tkachenko, op. cit., p. 128.

[24] *Pravda,* Jan. 10, 1977, p. 1; *Izvestiya,* Jan. 24, 1977, p. 1; and *The Oil and Gas Journal,* April 12, 1976, pp. 28-29.

[25] A. I. Zhechkov and L. B. Kuznetsova, "Analysis of the Productivity of Old Oil Wells in the Fields of West Siberia," *Ekonomika neftyanoy promyshlennosti* (Moscow), No. 8, 1976, pp. 23-24, and R. I. Kuzovatkin, "Samotlor—the Front and the Rear," *Ekonomika i organizatsiya promyshlennogo proizvodstva,* No. 6, 1976, pp. 80-81.

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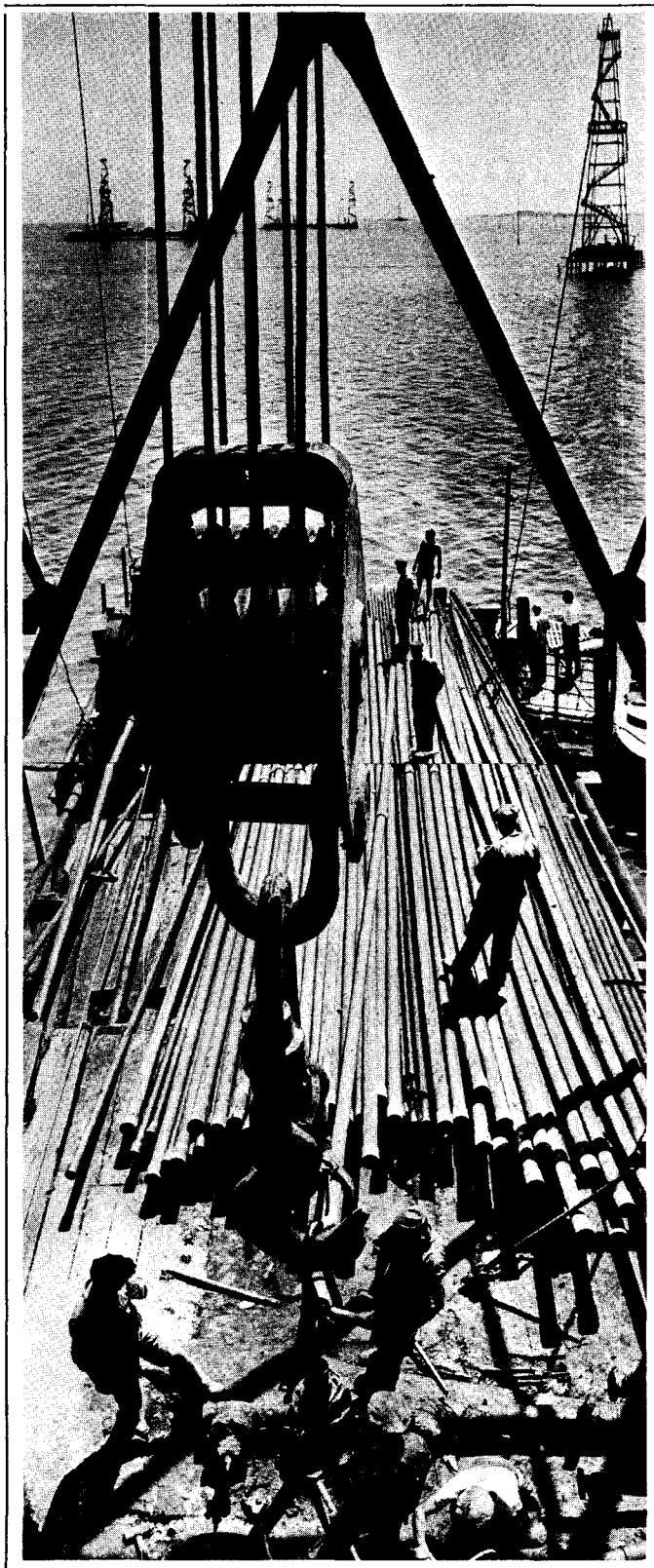

Repairs being performed on an offshore oil well in the Caspian Sea.

—FPG.

The Tenth Five-Year Plan calls for a growth rate for West Siberian oil production at least equal to that of the previous five years and for a much larger absolute increment. Moreover, this increment will have to be produced from several smaller fields in still more uncharted swamps farther from the River Ob' (Samotlor output is expected to peak by 1978—at around 130 million tons a year); and it will have to be produced despite the accumulation by 1975 of four years' worth of planned but uncompleted field construction with a total value of nearly 120 million rubles. In late 1976, such circumstances prompted a high Soviet official to declare his own doubts about the attainability of the goal of 300-310 million tons for the region by 1980.[26] Another official revealed that, based on earlier plans, the geologists had aimed at only 230-260 million tons by that date and today are being upbraided for not having prepared sufficiently large deposits to guarantee fulfillment of the higher targets.[27] To assure growth beyond 1980, it would also be necessary during the present plan period to discover and prepare major fields in the northern half of West Siberia in conditions of continuous permafrost, while the early 1980's would have to see an intensified, vast prospecting effort on the still more remote East Siberian Platform.

In 1976, for the first time since World War II, the Soviet oil industry experienced a decline in the annual *increment* of petroleum output—with seven of the petroleum regions falling short of their plans in both drilling and output.[28] These shortfalls in themselves would have little significance if, as in the case of gas, there were very large proven fields ready to be exploited (unlike gas, oil is highly transportable—over 80 million tons of oil can be shipped annually through a single 48-inch pipeline). This, however, does not seem to be the case, and a decade of slow decline in the proven reserve-production ratio apparently has not yet been reversed.[29]

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[26] Theodore Shabad, "News Notes," *Soviet Geography: Review and Translation* (Washington, DC), May 1977, p. 357; and Kuzovatkin, loc. cit., pp. 80-85.

[27] G. P. Bogomyako, "The Tyumen' Complex and Its Future." *Ekonomika i organizatsiya promyshlennogo proizvodstva*, No. 5, 1976, p. 8.

[28] *Ekonomicheskaya gazeta*, No. 8, February 1977, p. 2; *Sotsialisticheskaya industriya* (Moscow), Dec. 4, 1976, p. 1; *Narodnoye khozyaystvo SSSR v 1975 g.* (The USSR National Economy in 1975), Moscow, "Statistika," 1976, p. 240; and *Promyshlennost' SSSR* (Industry of the USSR), Moscow, "Statistika," 1974, p. 205.

[29] N. Mel'nikov and V. Shelest, "The USSR Fuel-Energy Complex," *Planovoye khozyaystvo*, No. 2, 1975, p. 11, and NATO Directorate of

(continued on page 51)

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In sum, then, the projections for oil and gas production in 1990 presented in Table 1 jibe with Soviet estimates of recent years, and may even be too high according to some Soviet judgments. It is well to bear in mind that gas output of 900 billion meters equals present output in the entire non-Communist world and that oil output of 800 million tons exceeds the production of all Arab countries and is well above the production capacity of Saudi Arabia. Although there is little transport constraint on oil, the forecast for crude petroleum production in 1990 is tentative and its accuracy will depend heavily on future discovery rates and on the size of new fields which may be brought into production.[30]

One thing is clear: the Soviet leaders have not been spared the mounting anxiety felt by Western leaders over the adequacy of future petroleum supplies. The USSR's own oil and gas industries share significant problems with producers elsewhere, including a rapid rise in costs. In addition, the proven reserves of oil in the Soviet Union do not appear entirely satisfactory, and prospects for this pivotal energy source seem more worrisome than for other fuels. Finally, oil and gas are both crucial hard-currency earners and commodities desperately needed by the USSR's East European partners. For all these reasons, Soviet officials have become more concerned with husbanding hydrocarbon resources.

Consequently, Soviet sources since the early 1970's have strongly advocated a greater reliance on coal, and future forecasts all imply that this sector must play a larger role. As everywhere, future dependence on coal is essentially tied to the under-boiler market—the production of electricity, steam, and hot water—because in these uses petroleum and natural gas enjoy the smallest economic and technological advantage over solid fuels. The burning of vast quantities of petroleum products and even gas for such purposes (one quarter of total petroleum output and almost one half of gas output) has long been viewed as wasteful by many Soviet and Western experts. Therefore, the main issue confronting Soviet energy policy today is whether the output of the USSR coal industry should (or can) be expanded to satisfy a substantially greater share of boiler fuel demand and thereby reduce the demand for hydrocarbons.

Prospects for Coal

Coal at present accounts for something less than 50 percent of boiler fuel consumption in the Soviet Union as a whole, with the proportion significantly lower throughout the European parts of the Russian Federation, the Baltic areas, the Caucasus, and Central Asia.[31] Boiler use, in turn, accounts for almost two fifths of all current Soviet energy demand, and it is projected to expand more rapidly than fuel consumption in general.[32] Thus, coal, even if restricted to this market, could conceivably assume a far more significant role in the energy balance through the coming years.

This role will be especially critical in power stations, which account for three fourths of all boiler fuel demand. The Directives of the Tenth Five-Year Plan clearly state that the future growth of electricity generation will be based chiefly on coal (primarily strip-mined coal), and expansion of nuclear and hydroelectric capacities.[33] In addition, there has been some mention in recent announcements of the substitution of coal for fuel oil and, to some extent, natural gas in *existing* stations for base-load generation, increasingly limiting the use of the more valuable hydrocarbons to peak load.

Just how feasible is the announced policy of expanding the use of coal as boiler fuel? Such a

Economic Affairs, *Exploitation of Siberia's Natural Resources*, Brussels, 1974, pp. 76 and 110-11. It is important to realize that even in a large petroliferous complex such as the Neokomean sediments of the Middle Ob', super-giant fields like Samotlor can, as a rule, be found only once. One might add that, given the size of Soviet hard-currency indebtedness, the value Moscow places on its high credit rating, and signs of increased reluctance on the part of Western creditors to finance Soviet imports from the West, it would be surprising if a major new discovery had occurred without there being at least an oblique announcement of it.

[30] While the author generally agrees with the CIA's recent analyses of the general problems of the Soviet oil industry (*Prospects for Soviet Oil Production*, ER77-10270, Washington, DC, April 1977, and *Prospects for Soviet Oil Production: A Supplemental Analysis*, ER77-10425, Washington, DC, July 1977) and could support most of the claims made in them with citations from Soviet sources, he is reluctant to project an absolute drop in production after 1980, as does the CIA. While it is quite conceivable that Soviet oil production in 1990 will fall appreciably short of 800 million tons, the important point is that the Soviet energy economy will be strained even if such a level of output is achieved.

[31] A. S. Pavlenko and A. M. Nekrasov, Eds., *Energetika SSSR v 1971-1975 godakh* (USSR Energy in 1971-75), Moscow, "Energiya," 1972, pp. 171-72, and CIA, *Soviet Long-Range Energy Forecasts*, pp. 4 and 7.

[32] P. S. Neporozhnyy et al., "Fuel and Power Economy of the Soviet Union," *Ninth World Energy Conference, Transactions*, Vol. 2, p. 156.

[33] See the speech of Premier A. N. Kosygin on the Directives, March 1, 1976, in *Materialy XXV s'yezda KPSS* (Materials of the 25th CPSU Congress), Moscow, Izdatel'stvo politicheskoy literatury, 1976, p. 140.

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policy faces a number of serious obstacles. We shall discuss them in general terms below before turning to a more detailed discussion of problems facing the development of the major Kansk-Achinsk Basin.

An important obstacle is the existing technology of power generation at conventionally-fueled stations. Currently, 95 percent of the total capacity of such stations is produced by either thermal electric centers *(termoelektricheskiye tsentraly*—TETs's—*or* "heat and power stations," as they are more commonly known in English) and condensing electric stations (*kondensatsionnyye elektricheskiye stantsii*—KES's), with the former providing 35 percent and the latter, 60 percent.[34] The TETs's supply both power and heat to industry and/or urban neighborhoods via special bleeding turbines; the KES's generate only electricity and, as a rule, are of much greater size and require more cooling water and, increasingly, cooling towers and ponds. To fulfill their heating function, TETs's are mostly located in large and medium-sized cities, where the concern for clean air has become a real planning consideration. For this reason, they use nonpolluting fuels for the most part. During the current five-year period, the share of TETs's is projected to grow at the expense of KES's by 2-3 percent.[35] Beyond the early 1980's, installation of new condensing stations is planned to be limited entirely to the Asiatic USSR and the Urals, while in the European provinces, still with some three fifths of all power output, TETs's and nuclear plants are intended to shoulder virtually all growth in generating capacity.[36]

Today TETs's overwhelmingly burn gas and petroleum products. This is evident from the fact that despite their smaller size and lower steam temperature,[37] their specific fuel consumption per kwh. is 25 percent better than that of KES's. The possibility of switching to coal in these dual-purpose stations and of using coal to fuel those yet to come on stream has evoked considerable comment and controversy, but it is very much open to doubt if large-scale substitution is really contemplated. Beyond the issue of pollution, regearing the TETs's (and the KES's) from hydrocarbons to coal, lignite, and peat fuels would require the massive supply of new, specialized equipment. While such equipment is being projected for some of the new energy complexes, the Minister of Energy Machine Building has virtually admitted that his Ministry is not ready for a massive effort to reconstruct existing plants.[38]

Of greater long-term significance is the problem of geographic imbalance between markets and the major centers of incremental coal supply—an imbalance which will grow even worse after 1980 and which is aggravated by the poor transportability of most cheap coals. This is the Gordian knot Soviet technology must cut or untie by the next decade.

Coal production west of the Urals, where the major demand exists, is constrained not only by unfavorable and dangerous geological conditions and the exhaustion of old seams,[39] but also by serious labor force difficulties and the unmechanized nature of a large proportion of operations. Nearly all coal west of the Urals comes from deep mines and narrow seams (e.g., in the Donbas almost one third of the coal comes from depths of over 700 meters, and 80 percent, from seams of less than 1.2 meters[40]) and is mined under increasingly difficult and dangerous working conditions.[41] In Soviet underground mines only a quarter of the miners are between 20 and 35 years of age, and half of all

[34] Nekrasov and Pervukhin, op. cit., p. 11, and Nekrasov and Khokhlov, loc. cit., p. 6.

[35] V. P. Korytnikov, Ed., *Rabota TETs v ob'yedinënnykh energosistemakh* (Operation of TETs's in Unified Power Grids), Moscow, "Energiya," 1976, p. 20.

[36] Nekrasov and Pervukhin, op. cit., pp. 87-89.

[37] TETs's require only 282 grams of standard fuel per kwh. compared to 369 grams for KES's. See Korytnikov, op. cit., p. 11.

[38] *Pravda*, Oct. 10, 1976, p. 2.

[39] The losing battle in the Moscow Coal Basin to open enough new collieries to replace the capacity of worked-out ones is described in *Ekonomika mineral'nogo syr'ya i geologorazvedochnykh rabot*, No. 8, Moscow, USSR Ministry of Geology, 1976, pp, 12-13. In 1965 it was reported that one third of all Donbas collieries had less than 15 years of reserves. G. B. Yakusha, *Tekhnikoekonomicheskiye osnovy razvitiya elektroenergetiki ekonomicheskikh rayonov URSR* (Technological and Economic Bases of the Development of the Electric Power of the Economic Regions of the Ukrainian SSR), Kiev, "Naukova Dumka," 1965, p. 63.

[40] Donetsk Scientific-Research Coal Institute, *Sovershenstvovaniye gornogo khozyaystva shakht Donbasa* (Improving the Mining of Donbas Mines), *Sbornik* No. 43, Donetsk, 1968, pp. 5 and 9; and Central Scientific-Research Institute for Questions of Coal Economics, *Nauchnyye trudy*, No. 21, Moscow, 1974, pp. 7. Three fifths of Donbas coal reserves are in seams of less than 0.8 meter, which are not minable with existing technology. The quality of coal in the basin (particularly with respect to its sulfur content) is also deteriorating rapidly, a state of affairs which places additional constraints on expansion of production. See M. A. Zubakov, "The Power Complex of the Ukrainian SSR in the Tenth Five-Year Period," and U. Ya. Koval'chuk et al., "Problems of Fuel Supply for the National Economy of the Ukrainian SSR," both in Ministry of Power and Electrification of the Ukrainian SSR and the Academy of Sciences of the Ukrainian SSR, *Sovremennyye problemy energetiki* (Contemporary Power Problems), Kiev, 1976.

[41] See N. Khudosovtsev, "The Coal Industry of the Ukraine in the Decisive Year of the Five-Year Period," *Ekonomika Sovetskoy Ukrainy* (Kiev), No. 8, 1973, pp. 12-13, and V. S. Taradayko and A. F. Ostapenko, *Rubezhi shakhterov* (Frontiers of the Miners), Kiev, "Tekhnika," 1976, p. 47.

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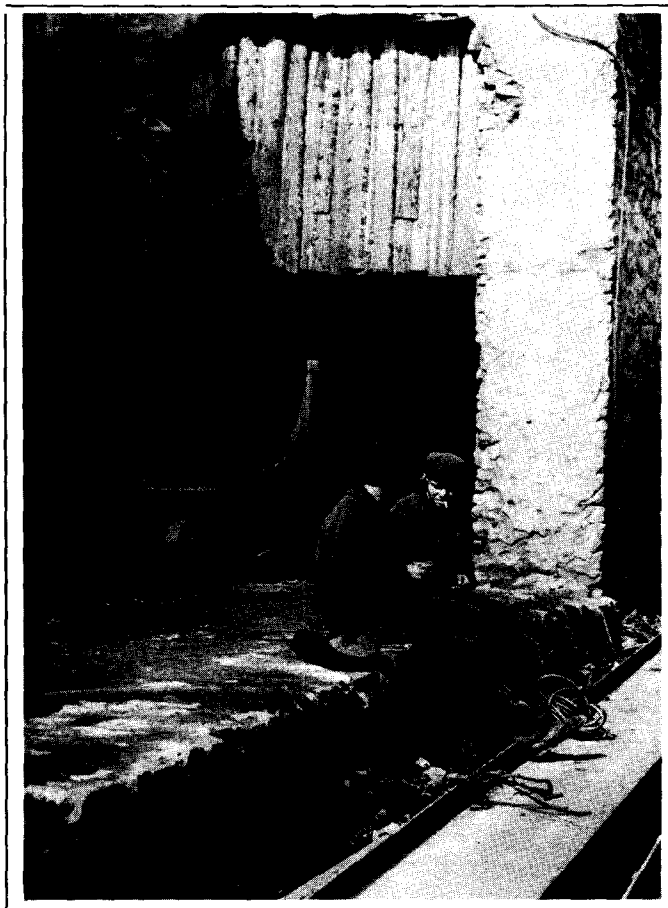

Workers take a break at a coal mine in the USSR's Donetsk Basin (Donbas) in November 1974.

—Kenneth Murray/Nancy Palmer.

those engaged in extraction and loading labor with their bare hands or the simplest hand tools.[42] Profitability in the Soviet coal industry has again declined to zero, and deep-mined coal is again subsidized—the average subsidy amounting to about 4 percent west of the Urals.[43]

In the entire European USSR—where solid fuels can cover less than half of all energy consumption in power stations, a mere third of that under industrial boilers, and (excepting coking coal needs) virtually no other demand [44]—only 13 new collieries were under construction in 1974-75. These were to have a combined capacity of 18 million tons a year.[45] The Tenth Five-Year Plan envisages a further increment of less than 10 million tons. As a result, the European USSR is expected to contribute no more than 340 million tons to the 790-810 million tons of output planned for 1980.[46] Even under the best of circumstances, output in this part of the Soviet Union cannot be expected to grow by more than an additional 35 million tons during the 1980's.[47]

In light of these limited prospects for boosting coal production in the European portions of the USSR, the Soviet coal industry will have to expand annual output of the trans-Ural portions by 250, 350, or even 450 million tons if it is to reach the overall total of 1 billion to 1.2 billion tons that Table 1 suggests will be required to satisfy Soviet energy needs. The bulk of the increase will have to come from strip mines. Already in the current plan such mines are expected to provide almost three fifths of the increment of 90-95 million tons targeted for the Asiatic USSR.[48] During the 1980's, from three quarters to more than four fifths of the increment will have to be produced from strip mines if the Soviet Union is to reach the levels projected in Table 1. The deposits physically and economically most capable of major production boosts are those of the Ekibastuz and adjoining Maykuben fields in northeast Kazakhstan, the Kuznetsk Basin (Kuzbas), and the vast Kansk-Achinsk Basin of lignites east and west of Krasnoyarsk. All of these basins (Kuzbas less so than the others) lend themselves to strip mining, with Ekibastuz and Kansk-Achinsk being able to produce energy at a cost lower than that for virtually all Soviet oil and gas deposits.[49]

Until the early 1980's, primary emphasis is to be placed on (1) maximum exploitation of Ekibastuz,

[42] *Ekonomika ugol'noy promyshlennosti* (Moscow), No. 5, 1976, pp. 23-24; N. A. Arkhinov et al., *Na-gora million ton* (Hoisting a Million Tons), Moscow, "Mysl'," 1974, p. 8; and R. Z. Kosukhkin, "Contemporary Problems of the Social and Economic Development of Coal-Mining Enterprises," in *Vsesoyuznaya konferentsiya. Ekonomicheskiye parametry gornykh predpriyatiy budushchego* (All-Union Conference. Economic Parameters of the Mining Enterprises of the Future), Moscow, 1976, p. 187.

[43] M. M. Guren, "Ways to Improve Wholesale Prices for Coal," in *Voprosy tsenoobrazovaniya, Vypusk 6*, Moscow, 1976, pp. 76-79, and A. S. Ayushiyev, *Finansy proizvodstvennykh ob'yedineniy ugol'noy promyshlennosti* (Finances of Production Associations of the Coal Industry), Moscow, "Nedra," 1976, p. 92.

[44] Neporozhnyy et al., op. cit., p. 160.

[45] A. I. Konstantinovka, "Effectiveness of Technological Progress in the Extracting Branches" (*Effektivnost' tekhnicheskogo progressa v dobyvayushchikh otraslyakh*), unpublished Candidate dissertation, A/N SSSR, USSR Academy of Sciences, Institute of Economics, Moscow, 1975, p, 37.

[46] Nekrasov and Pervukhin, op. cit., pp. 146-47, and Theodore Shabad, "News Notes," *Soviet Geography: Review and Translation*, April 1977, pp. 263-65.

[47] Khudosovtsev, op. cit., p. 28, and USSR Academy of Sciences, Komi Affiliate, *Timano-Pechorskiy territorial'no-proizvoditel'nyy kompleks* (The Timan-Pechora Territorial Production Complex), Syktyvkar, 1976, p. 74.

[48] Shabad, loc. cit., p. 355.

[49] Ya. Mazover, "Prospects for the Kansk-Achinsk Coal Basin," *Planovoye khozyaystvo*, No. 6, 1975, p. 66.

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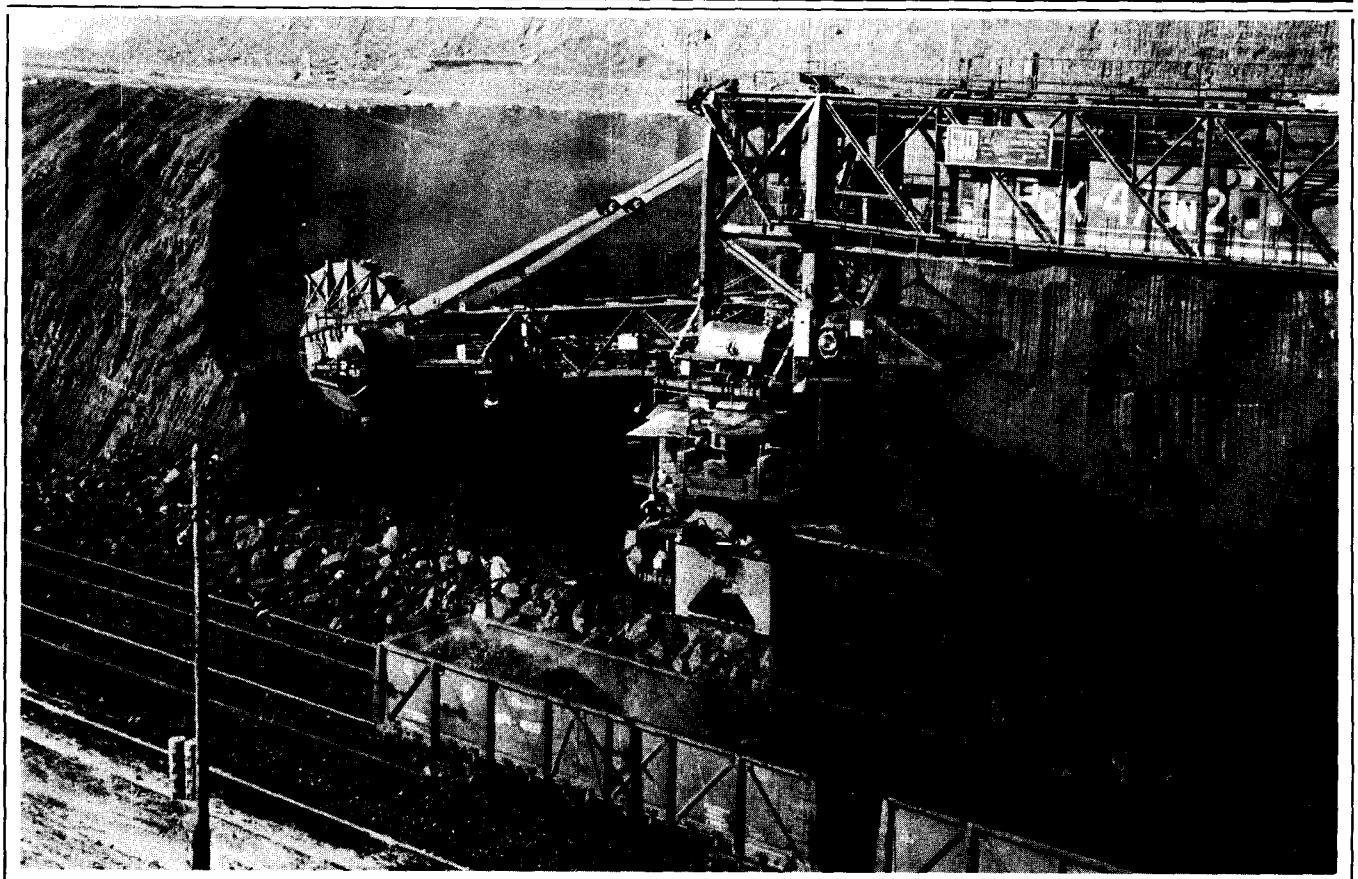

A mammoth excavator gnaws at a deposit of coal in the Ekibastuz field of northern Kazakhstan.

—Novosti via Sovfoto.

already the third largest coal producer in the USSR, and (2) accelerated development of surface mining in the Kuzbas. Production from Ekibastuz should well top 70 million tons by 1980 and reach or exceed 100 million tons by 1990, while it is planned to increase output from the Kuzbas (140 million tons in 1976) by more than 20 million tons in the next four years and by perhaps 40 million additional tons during the 1980's. Even though coal from Ekibastuz cannot be hauled west of the Volga because of its very high ash content, the basin by 1980 will ship an additional 13-14 million tons to base-load stations in the Ural-Volga region—i.e., a third of the total expected increment in solid fuel supplies to power plants in the European USSR. It will also fuel new power stations in northern Kazakhstan.[50] Kuzbas coal can effectively contribute to the energy balance of nearly all Soviet regions even when transport charges double its delivery cost. (Unfortunately, the advantages of the Kuzbas are declining. For example, the capital productivity of its coal mines has been falling as rapidly as the Soviet average. As a result, large increments during the 1980's must come essentially from new pits and collieries and at significantly higher costs.[51])

After the early 1980's, the potential for further big increases in strip-mining capacity will be largely exhausted everywhere except in the deposits of the Kansk-Achinsk Basin, where production costs are the lowest of anywhere in the Soviet coal industry (even when measured in the calorific content of

[50] Nekrasov and Pervukhin, op. cit., pp. 146, 152, and 154. Plans to create an Ekibastuz fuel-energy complex during 1977-90 and to construct the long-proposed 1500-kilovolt DC trunkline to Tambov (southeast of Moscow) have recently been announced in a joint decree of the Central Committee of the Soviet Communist Party and of the USSR Council of Ministers. *Kazakhstanskaya pravda* (Alma-Ata), April 22, 1977. The author is indebted to Dr. Theodore Shabad of *The New York Times* for this information.

[51] N. I. Nikolayev and A. A. Kosar', *Effektivnost' kapital'nykh vlozheniy v ugol'noy promyshlennosti Kuzbasa* (The Effectiveness of Capital Investment in the Kuzbas Coal Industry), Kemerovo, Politekhnicheskiy Institut Kuzbasa, 1976, pp. 22-23, 45. According to this study, between 1951 and 1972 capital outlays for construction of new collieries in the Kuzbas increased from 14.2 to 22.4 rubles per ton of production capacity.

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the output). The Soviet coal industry will require production of *at least* 100 million tons a year from these fields if it is to reach a total production of even one billion tons a year by 1990. Enthusiasts claim that output of the basin can be raised to 600 million or more tons a year without encountering worsening geological conditions of exploitation.[52] Yet Kansk-Anchinsk supplied less than 30 million tons in 1976.[53] What explains the delay in development of the basin?

Kansk-Achinsk—Unrealized Potential

Realization of the basin's potential has been hampered by a variety of factors. These include the poor physical properties of the lignites, their low transportability, the rather limited local demand for coal, and the remoteness of potential alternative markets. Large-scale burning of these lignites requires special equipment to cope with harmful deposition on boiler and machine surfaces. These lignites also do not store well, are liable to self-combustion, and cannot be hauled, except in negligible quantities, beyond short distances.[54] The local market for coal is seriously restricted by the availability of very cheap and abundant hydroelectricity in the region, with considerable waterpower still untapped.

Current research in the Soviet coal industry centers on the enrichment and briquetting of these lignites and on coal slurry pipelines to facilitate long distance bulk movement. Breakthroughs in the cost of very-long-distance electricity transport would also expand the economic range of this fuel. Theoretically, the simplest solution would call for the replacement of nearly all transportable Kuzbas coal burned under boilers in the Ob'-Altay area, by Kansk-Achinsk lignites (coal from the western half of the vast Kansk-Achinsk basin seems to be transportable as far as the River Ob' without special preparation). Simple optimization models of the territorial distribution of substitutable fuels run by the author as early as 1971 suggested this solution, although he was unable to include the additional costs of plant reconstruction and the externalities of increased pollution in the model.[55] Many influential voices in the Soviet academic community have also advocated such a course.[56]

In practice, none of these proposals is simple, and the costs of some exceed any so far undertaken or planned in the Soviet energy industries. Even the replacement approach would require the refitting of dozens of plants with new equipment designed to use fuel of a much poorer quality and the installation of still more antipollution devices in the already badly polluted Kuzbas. In addition, much of the coal currently used in power stations there is itself poorly transportable culm or coal dust, the by-product of mining for coking coal. The total amount of transportable coal which could be freed for western regions is thus unlikely to exceed 50 million tons, even a decade hence.[57]

Working backward up the list of possible solutions, one finds that the long-planned development of extra-high-voltage power lines from the Asiatic to the European portions of the USSR has encountered far more technological problems than originally

[52] Mazover, op. cit., p. 67.

[53] *Ekonomicheskaya gazeta*, No. 4, January 1977, p. 2. Output is scheduled to increase to 42.3 million tons by 1980. Nekrasov and Pervukhin, op. cit., p. 146. However, *Pravda* of Dec. 17, 1976, referred to even that modest target as only "possible."

[54] See S. K. Karyakin, "Research on the Mineral Composition of the Kansk-Achinsk Coals in Connection with Their Use for Power" *(Issledovaniye mineral'nogo sostava kanskoachinskikh ugley v svyazi s ikh energeticheskim ispol'zovaniyem)*, unpublished Candidate dissertation, Kirov Polytechnic Institute in Tomsk, 1975, esp. pp. 5, 9, 105, and 129-35, and V. A. Zaydel', *Osnovnyye napravlenyye i perspektivy razvitiya teplovykh elektrostantsiy* (The Basic Directions and Prospects for Development of Thermal Electric Stations), Moscow, VIPK Energo, 1976, p. 31. It might be noted that the first source claimed (p. 9) that up to the time of his writing, no one had studied in detail the mineral composition of Kansk-Achinsk coals and that they vary greatly in the vast basin.

[55] See Leslie Dienes, "Issues in Soviet Energy Policy and Conflicts Over Fuel Costs in Regional Development," *Soviet Studies* (Glasgow), July 1971, pp. 26-56, and "Geographical Problems of Allocation in the Soviet Fuel Supply," *Energy Policy* (Surrey), June 1973, pp. 3-20.

[56] See, inter alia, A. Ye. Probst and Ya. A. Mazover, Eds., *Razvitiye i razmeshcheniye toplivnoy promyshlennosti* (Development and Location of the Fuel Industry), Moscow, "Nedra," 1975, pp. 137-38; Ya. Mazover, "Prospects for the Kansk-Achinsk Coal Basin," loc. cit., pp. 69-70; A. Ye. Probst, Ed., *Razvitiye toplivnoy bazy rayonov SSSR* (Development of the Fuel Base of the USSR's Regions), Moscow, "Nedra," 1968, pp. 165-68. The idea is also raised, albeit with more reservations, in V. A. Shelest, *Regional'nyye energo-ekonomicheskiye problemy SSSR* (Regional Problems of the Energy Economy of the USSR), Moscow, "Nauka," 1975, p. 303, and K. M. Zviagintseva, "On the Three Fuel and Energy Supply Zones of Siberia," *Izvestiya Sibirskogo otdeleniya Akademii Nauk SSSR* (Novosibirsk), No. 1, 1974, pp. 19-25 (translated in *Soviet Geography: Review and Translation*, October 1974, pp. 494-95).

[57] Over 40 percent of the Kuzbas's output is coking coal, a proportion that is likely to persist even if total production is pushed to 200 million tons. This would leave only some 115 million tons of energy coal. Since 40 million tons is already shipped out of West Siberia and another 20 million tons is certain to be poorly transportable powdery coal and other power station smalls, less than 55 million tons of incremental shipments to western regions would be possible even by 1990.

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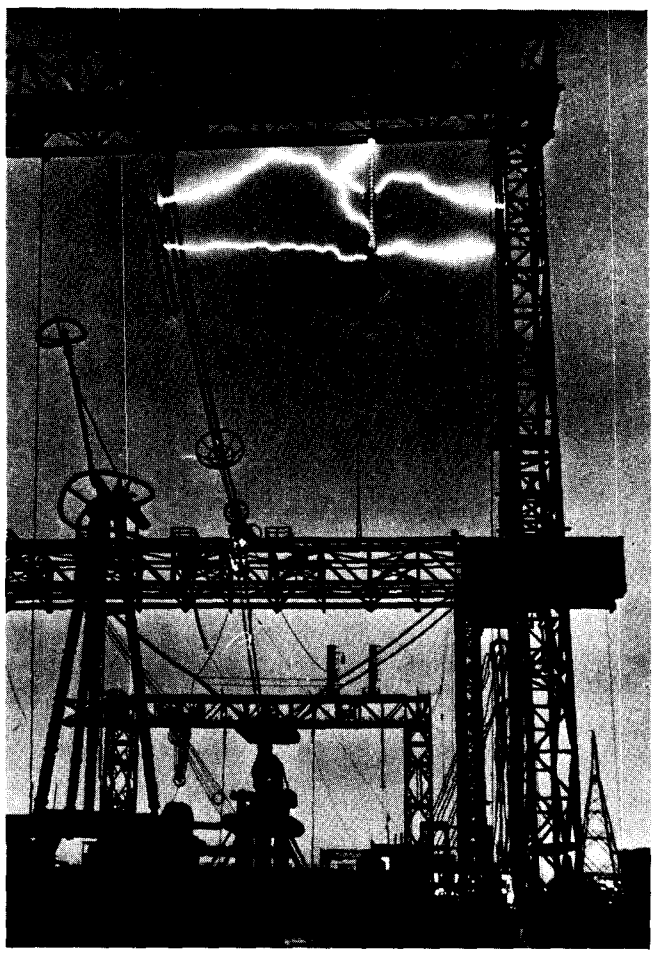
anticipated. AC transmission cannot bridge distance much above 1,000 miles even with a further increase of voltage, and firm commitment to the first 1,450-mile, 1,500 kilovolt DC line from Ekibastuz to European Russia has only now been officially announced.[58]

Research on large-capacity, long-distance coal slurry transport seems to have been undertaken only relatively recently. The three existing slurry pipelines are all less than 11 km. in length and have under 4 million tons in yearly throughput capacity. From these it would take a quantum jump to the proposed lines of 2,000 and 4,000 km. with capacities up to 120 million tons, especially since pipelines of even the intermediate lengths and capacities (800-1,600 km. and 10-25 million tons a year) now under construction in the United States and Canada are nowhere in sight for the USSR.[59]



Testing insulation air gaps between the wires and supports of a 750,000-volt electric transmission line at the Super-High-Voltage Laboratory of the Leningrad Polytechnic Institute in 1974.

—Novosti via Sovfoto.

The most massive use and widespread distribution of Kansk-Achinsk lignites unquestionably could be achieved through their large-scale enrichment. The operation, however, would render less than 60 percent of the total calories transportable (with most of the by-product gas, for example, needed to fuel the enrichment plants themselves)[60] and at an unprecedented capital cost. According to studies at the State Planning Commission of the Russian Federation, attainment of an output of 350 million tons a year would require that investment on construction work alone (i.e., excluding social overhead) climb to about 20 billion rubles in the forthcoming 15 years, and, by inference, reaching an output of 240-250 million tons would entail an investment of at least 14-15 billion.[61] The latter sum equals the value of all fixed assets in the production of oil and gas at the beginning of 1976.[62] It also nearly equals the total outlays in the West Siberian Lowland for the past 10 years—an investment which has already raised yearly energy output (not to mention other products) by over 315 million tons of SF equivalent, in the form of much more valuable oil and gas, or almost three times as much as 240 million tons of Kansk-Achinsk coal could provide.[63]

A yearly transport of 100-120 million tons of enriched fuel from these coal complexes is thought to be possible without construction of new railway lines, although cost estimates—while widely varying—all make even this level of shipment appear very expensive. Larger amounts would require the

[58] See fn. 50. Further DC transmission projects apparently will wait until it has been possible to compare performance of this one with an experimental 1,150-kilovolt AC line (yet to be started) from Berezov in the western part of the Kansk-Achinsk Basin to Kuzbas. In any case, such extra-high-voltage projects cannot be expected to make an impact on the Soviet energy scene in the near future.

[59] The Central Scientific-Research Institute on Coal Economics, *Transportirovaniye uglya po truboprovodam* (Transport of Coal by Pipelines), Moscow, 1976, pp. 3-7.

[60] Z. F. Chukhanov, "Scientific and Technological Problems of Developing the USSR Fuel-Energy Complex," *Vestnik A/N SSSR* (Moscow), No. 9, 1976, pp. 114-17, and I. P. Krapchin, *Effektivnost' ispol'zovaniya ugley* (Efficiency of Utilization of Coals), Moscow, "Nedra," 1976, pp. 135-36.

[61] *Problemy regional'noy effektivnosti* (Problems of Regional Efficiency), *Nauchnyye trudy*, No. 23, Moscow, RSFSR Gosplan Central Scientific Research Institute for Economics, 1976, p. 115.

[62] A. I. Perchik and V. M. Chernyak, "Some Questions of the Economics of Utilization of Fixed Assets in Drilling," *Ekonomika gazovoy promyshlennosti* (Moscow), No. 2, 1976, p. 3.

[63] *Razvitiye narodnogo khozyaystva soyuznykh respublik i ekonomicheskikh rayonov* (Development of the National Economy of Union Republics and Economic Regions), Moscow, "Ekonomika," 1976, p. 35.

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construction of a "super-trunkline." [64] A pilot plant of one-million-ton capacity for the pyrolysis of Kansk-Achinsk coal is reportedly under construction today.[65] But the big "coalplexes" described would have to handle 25 or 50 million tons a year,[66] and the author has found no evidence so far of any final commitment to their construction.

The Current Energy Debate

It is clear from the foregoing that, despite vast resources, the Soviet Union will not easily satisfy its future energy demand and export requirements. According to the available evidence, it appears that, barring dramatic new oil discoveries and/or a speedy solution to the Kansk-Achinsk problem, it will be very difficult to keep net petroleum exports at the present level during the 1980's. Even then an ever larger share of the nation's capital and manpower resources, material products, and research efforts must be committed to the energy sector well into the future. The long lead times and multiplying investment needs, combined with the very incomplete economic data available, present increasingly difficult technical-economic choices for energy planners, who are aware that their decisions will not be easy to reverse. Therefore, the experts are understandably divided. The controversy and lobbying seem more intense than at any other time in the post-Stalin years, even though the deep differences of opinion concerning the future course of Soviet energy policy can only be glimpsed from the current literature.

The alignment of forces is complex and defies easy categorization. To a degree, it reflects promotion of institutional and regional interests and advocacy based on long-term commitment to given research fields. At the same time, there is also evidence of deliberate caution by responsible officials about stating the potential of their fields and the

Academician A. A. Trofimuk, Director of the Institute of Geology and Geophysics of the Siberian Section of the USSR Academy of Sciences.

—A. Polyakov/TASS via Sovfoto.

speed at which given energy sources can be developed. Not surprisingly, the cautionary-aggressive, pessimistic-optimistic dichotomies are most clearly apparent among scientists and officials connected with geology, research, and production related to petroleum—hydrocarbons being notoriously chancy and exhaustible resources, difficult to plan for. Somewhat reminiscent of the great differences in perception of US hydrocarbon potential that have long existed between cautious industry officials and more optimistic researchers of the US Geological Survey, the applied geologists and the oil and gas producers in the USSR have consistently been more diffident about Soviet petroleum potential than have Soviet research geologists and geophysicists.

In this context, one finds A. A. Trofimuk, Deputy Director of the USSR Academy of Sciences' Siberian Section and Director of its Institute of Geology and Geophysics, arguing strongly against depriving the Soviet Union of the powerful economic stimulus of a further increase in the share of oil and gas in the fuel balance. To stop that increase now because of the mistaken notion that oil has become a

[64] V. A. Shelest, *Regional'nyye energoekonomicheskiye problemy SSSR*, pp. 268-69, and USSR Academy of Sciences, Siberian Section, Siberian Energy Institute, *Voprosy vliyaniya razvitiya energetiki na drugiye otrasli narodnogo khozyaystva* (Questions of the Influence of Power Development on Other Sectors of the National Economy), Irkutsk, 1975, pp. 31-33.

[65] Chukhanov, op. cit., p. 118.

[66] Indeed, the study by the Siberian Energy Institute cited in fn. 64 unequivocally states: "It is still not fully clear in what form Kansk-Achinsk coal will be transported." Another source admits that to this day "not even technical-economic substantiation exists for the Kansk-Achinsk fuel-energy complex." *Trud* (Moscow), Nov. 10, 1976, p. 2.

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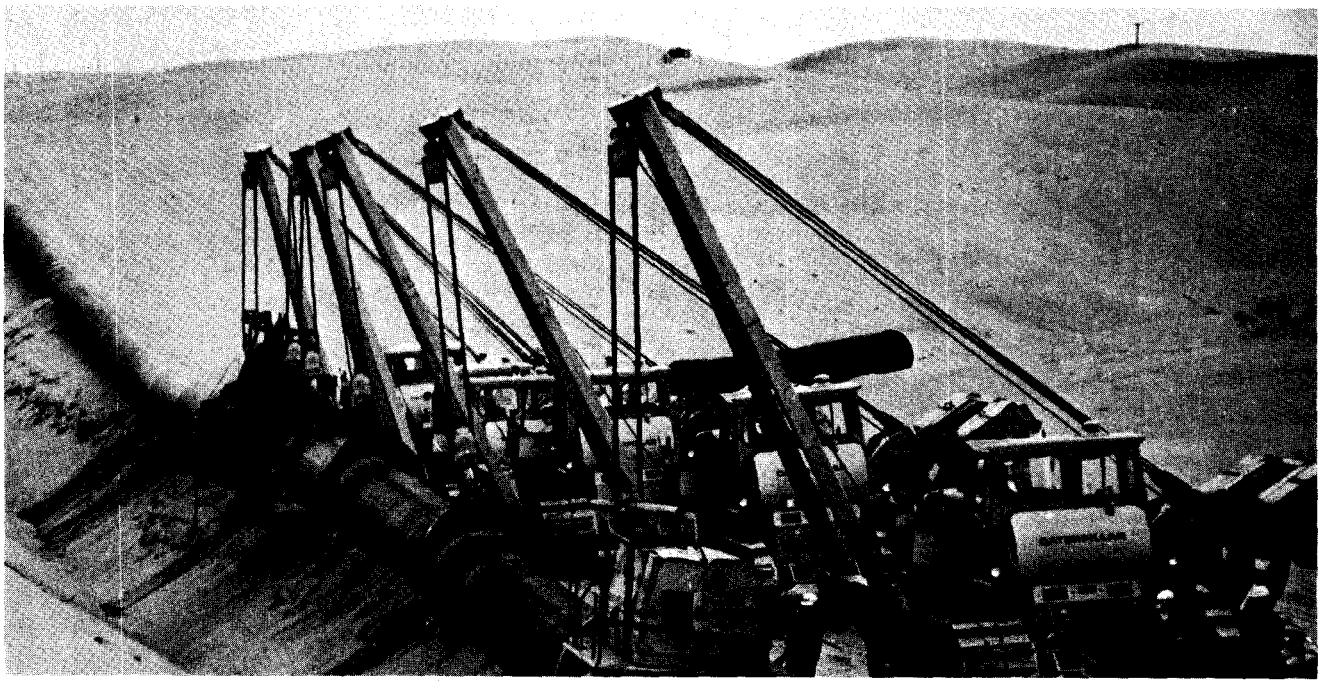

The fourth pipe in the Central Asia-Center gas pipeline being laid through the sands of the Kara Kum Desert in 1974. The 1,420-millimeter line is to deliver natural gas from the Shatlyk fields of Turkmeniya to western parts of the USSR and to countries in Eastern and Western Europe.

—A. Tulchinskiy/Novosti via Sovfoto.

scarce resource, he holds, would slow down Soviet economic growth and technological development. To the charge that burning oil under boilers and in furnaces is wasteful, Trofimuk retorts: "We don't burn crude; we burn fuel oil, which is a by-product. As for chemical raw materials, 7-8 percent of petroleum for that purpose is fully sufficient." For him the relevant question for the long run is who will first arrive at the exotic, future sources of energy. At present oil must enrich the country's economy and help to produce new technology and higher levels of development. The USSR, he notes, is first in the world in petroleum production but in consumption still lags behind countries such as Japan or France.[67]

However, many other Soviet scientists are convinced of the necessity to husband petroleum reserves. For example, A. P. Krylov, Chief of the USSR Academy of Sciences' Scientific Council for Production Problems of Petroleum Fields, is anxious to start exploitation of the vast bitumen and shale deposits at various sites in the USSR (beyond the shale being worked in Estonia) and to accelerate the development of the coal industry. Krylov argues that oil should be refined in greater depth (the share of light products in the refinery mix still being too low) and also exported for hard currency in refined form.[68]

There is a somewhat similar difference of opinions among Soviet officials about the desirability of using natural gas under boilers. The Minister of the Gas Industry himself is beginning to scale down projections for natural gas output and, despite vast reserves, to talk about limiting the role of this fuel in boiler and furnace uses.[69] Such a move is hotly opposed, however, by the First Secretary of the Tyumen' Oblast Party Committee, who contrasts simple, clean power plants burning gas with the "mastodons" represented by the lignite-fired stations with their severe environmental impact.[70]

If we look at regional issues, it is no longer possible to identify specific interest groups with clearly pro-Siberian or pro-European bents as was the case in the middle 1960's when a much greater expansion of fuel production in the European USSR was still expected. The rapidly intensifying energy

[67] Trofimuk is cited in I. Ognev, "Perception of Discoveries," *Ekonomika i organizatsiya promyshlennogo proizvodstva*, No. 4, 1976, pp. 170-72, 174-79.

[68] Cited in ibid., p. 171.

[69] *Gazovaya promyshlennost'*, No. 11, 1976, p. 6.

[70] Bogomyakov, loc. cit., pp. 5-11.

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deficit west of the Urals and the poor results of prospecting and exploratory work (partly a consequence of slow progress in deep-drilling technology) have made increased investment in the transportable fuel resources of Siberia critically important for the European provinces as well. West Siberian officials, pushing for still greater efforts in the vast petroliferous Ob' Basin, meet no opposition from scholars who want to emphasize the economic development of the European USSR, since the latter, in fact, count on massive supplies of Siberian oil and gas.[71]

The situation is different with respect to energy development in East Siberia, whose coal, lignite, and waterpower resources are not transportable over long distances. All-out development of the Kansk-Achinsk Basin, for example, is likely to yield little direct benefit to the energy-hungry provinces of the European USSR which would have to supply most of the investment. West Siberian officials, too, perceive such a crash program as diverting scarce capital from the oil and gas industries in their territory.[72] In contrast, East Siberian officials, associates of the Irkutsk Branch of the USSR Academy of Sciences, and a number of leading specialists in coal mining and research strongly push for a concerted effort to process and transport Kansk-Achinsk coal and to continue with huge waterpower projects as well.[73] One may also assume that they are supported by some in the power industry who see a boost for electricity production transmission and related research in such a development.

Planners and scientists in Central Asia have also begun to worry about the speed at which their immensely valuable gas reserves are being depleted, with over three fourths of their output exported to the industrial centers of the European Soviet Union. Burgeoning local populations and an awareness of the geographic isolation of the Central Asian republics lend added urgency to their considerations. A recent detailed study prepared in Tashkent, for example, makes a very frank assessment of Central Asia's energy needs, the prospects for meeting these needs, and the problems of developing new reserves (e.g., tapping deposits which have high sulfur content or are located at great depth). The authors of this study consider various alternatives such as future energy supplies from Siberia and from nuclear power. They even raise, then prudently drop quickly, the alternative of refusing exports to the Russian Republic at or near the present rate. They conclude that beyond the later 1980's, nuclear power seems to offer the best long-term prospect for meeting the growing energy needs in their region.[74] As far as Kansk-Achinsk is concerned, Central Asian officials would obviously welcome the transport of much larger quantities of Siberian coal to the Urals and beyond in order to ease the demand for gas on their republics before reserves of the latter diminish to insignificant levels.

The complaints and the energy problems of the Ukrainian SSR have been documented elsewhere.[75] Ukrainian planners have hoped to arrest the rapid deterioration in local energy supplies and to improve prospects by a vigorous nuclear construction program and large net imports of hydrocarbons from Soviet Asia. However, it is claimed that recent optimization studies by the Ukrainian Gosplan show that during the 1980's the republic will receive only moderate quantities of fuel (primarily oil) from eastern regions beyond that which is in transit for export, and that the big net imports of

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[71] As one Soviet commentator put it, "Even though the oil and especially the gas resources of West Siberia are located in the East, they must be treated as an energy base of the European part of the USSR." See A. A. Mints, "A Predictive Hypothesis of Economic Development in the European Part of the USSR," from *Resursy, sreda, rasseleniye* (Resources, Environment, Settlement), Moscow, "Nauka," 1974, pp. 20-54, translated in *Soviet Geography: Review and Translation*, January 1976, pp. 1-28.

[72] Bogomyakov, loc. cit.

[73] See, inter alia, Chukhanov, op. cit., pp. 106-19; Mazover, op. cit., pp. 65-73; *Izvestiya*, July 9, 1975, p. 3; Moscow Narodny Bank, *Press Bulletin*, Oct. 13, 1976, pp. 3-4; USSR Academy of Sciences, Siberian Section, Siberian Energy Institute, op. cit., pp. 29-45 and 68-84; and "Launching KATEK," *Ekonomika i organizatsiya promyshlennogo proizvodstva*, No. 1, 1977, pp. 18-22.

[74] P. K. Savenko and A. P. Khodzhayev, *Toplivnoenergeticheskiy kompleks Sredneaziatskogo Ekonomicheskogo Rayona* (The Fuel-Energy Complex of the Central Asian Economic Region), Tashkent, "Uzbekistan," 1974, esp. pp. 176-77. Half of the huge reserves of Gazli are now exhausted (see A. D. Brents et al., *Ekonomika gazovoy promyshlennosti* [The Economics of the Gas Industry], Moscow, "Nedra," 1975, p. 172), and gas from the new fields of Turkmeniya is today being shipped out at an equally fast rate. At the same time, conversion of the Central Asian economies to a gas-fueled basis is proceeding rather slowly, and the region is importing growing quantities of Siberian and Kazakhstan coal and must even rely on fuel sources which are normally considered noncommercial. Three tenths of the fuel consumed in these republics has far worse economic characteristics than the gas and fuel oil they export. The Central Asian republics, of course, are not sovereign, and because of low productivity there, such large-scale exports to the RSFSR may well maximize economic advantage for the Soviet system as a whole (although the present author has yet to see any sophisticated model attempting to prove this).

[75] L. Dienes, "The Role of Ukrainian Mineral and Energy Resources in Soviet Industry," in I. S. Koropeckyj, Ed., *The Ukraine Within the USSR: An Economic Balance Sheet*, Praeger Publishers, in press, and "Issues in Soviet Energy Policy . . .," loc. cit.

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gas hoped for earlier are unlikely to materialize. The question of increasing investment in the Donbas, despite the rapid deterioration of economic indices in its coal industry, thus continues to be raised.[76]

Conclusions

Unfortunately, our knowledge about the Soviet decision-making process is limited, and evidence from Soviet annual and even five-year plans provides little guidance on how Moscow arrives at long-range policy decisions affecting the structure of the whole economy. When it comes to operationalizing such decisions involving many disparate agencies, the latest technique seems to be the creation of what Paul Cook has called "Manhattan projects," at least two of which—the Baikal-Amur Mainline or BAM and the Non-Chernozëm Program—are presently operative.[77] The formation of the Kansk-Achinsk energy complex, for which the acronym KATEK has already been coined, would, if approved, be another such project. Increasing coal production even at the modest 2.7-2.8 percent a year suggested as necessary in Table 1, can only be envisaged if a firm decision is taken on KATEK soon, with investment commitment on the scale of BAM.

The germ of such projects may originate in scientific institutes as well as among the top leadership. The process, however, will necessarily involve Gosplan, appropriate organs of the Central Committee, and the entire Politburo, with detailed technical-economic data provided by the coal industry and by a host of research organizations using laboratory studies and based on pilot-plant operations. None of the data is currently available to the outside observer, nor do we know the relative influence of the pro-coal versus pro-oil forces in the top leadership. It is a fair conclusion, however, that a thorough evaluation of pilot projects for coal would necessarily take the rest of this decade.

Logic says that for the next seven to eight years the Kansk-Achinsk Basin will be developed only slowly, with output serving merely the limited local market. Nine tenths of all direct capital costs entailed in making this lignite available outside central Siberia would be for enrichment and transport (the latter alone claiming 40-50 percent), and these costs still remain to be fully assessed and are the subject of considerable controversy.[78] Therefore, the author believes that a full-scale commitment to the development of this basin for the national market is very unlikely to happen before the early 1980's. The very long lead times required and the capital, labor, and environmental constraints and sheer technological difficulties involved will prevent Soviet coal output from exceeding, or perhaps even reaching, one billion tons by 1990. The Minister of the Coal Industry intimated as much not long ago; moreover, a recent Soviet source forecasts an annual growth of fixed assets in the Soviet coal industry from 1975 to 1985 at a rate which is well below that experienced during the 1960's and early 1970's.[79]

In conclusion, it is clear that in the USSR, as in the United States, a restructuring of the energy balance to lessen the reliance on hydrocarbons will be very difficult and costly. Under no circumstances can the decline in the share of coal in the Soviet fuel mix be arrested before the 1990's. Without a Manhattan-type project in huge coal-processing complexes deep in Siberia and the heavy transport investments associated with it, the vast reserves east of the Kuzbas can make but a minimal contribution to the nation's energy consumption.

My prediction is that no long-range energy plan will be forthcoming in the near future, as Soviet officials will try to avoid committing themselves. The leadership will gamble on dramatic new oil finds, at least until the early 1980's, and postpone any radical decision on the fuel economy. It will take a serious shortfall in oil production targets to initiate the huge coal-processing complexes proposed for Siberia. For the three fifths of the Soviet market lying west of the Urals, solid fuels can provide little relief even in the long run. Gas and oil, transported some 2,000 miles from Soviet Asia, and nuclear power must account for almost all the increment in energy supply for the rest of the century. Hence, it emerges that the geographic context will remain probably the most crucial determinant of Soviet energy policy.

[76] See V. N. Kal'chenko, *Gazova promyslovist' i tekhnychnyi progres* (The Gas Industry and Technological Progress), Kiev, "Naukova Dumka," 1972, pp. 99-100, and L. A. Lisovskiy, "Certain Long-Term Indices of the Extraction of Donetsk Energy Coals," in Ministry of Power and Electrification of the Ukrainian SSR et al., *Sovremennyye Problemy Energetiki*, p 39.

[77] Paul K. Cook, "The Political Setting," in US Congress, Joint Economic Committee, *Soviet Economy in a New Perspective*, p. 14.

[78] G. A. Andreyev et al., "Aspects of External Production Links of Individual Fuel Bases," in USSR Academy of Sciences, Siberian Section, Siberian Energy Institute, op. cit., pp. 30-31.

[79] *New Times* (Moscow), October 1975, p. 5, and Nikolayev and Kosar', op. cit., p. 48.

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Moscow's Policy Toward Japan

By Joseph M. Ha

Soviet policy toward Japan presents analysts with one of the more enigmatic aspects of contemporary Northeast Asian politics. A traditional balance-of-power analysis would lead one to expect that in the wake of the Sino-American rapprochement of 1972 the Soviet Union would have made a major effort to establish close relations with Japan. However, such was the case only in the periods immediately preceding and following the rapprochement. More common than dramatic Soviet initiative, in fact, has been a type of behavior which appears completely counterproductive and is explicable only in terms of Soviet chauvinism. For example, the USSR has refused to discuss seriously the issue of the "northern islands" (islands which it occupied at the end of World War II but which Japan still claims), it has offered Japan unfavorable terms for investment in Siberia, it has harassed Japanese fishermen, and its negotiators have typically assumed an arrogant demeanor when dealing with the Japanese. In light of such behavior, it is not difficult to conclude that Moscow has no clearly conceived objectives in its relationship with Japan.

This brief essay will endeavor to offer an alternative interpretation of Soviet behavior, one suggesting that, when viewed within the context of the USSR's regional goals and of several major Soviet assumptions about both Japan's economic and political vulnerability and the evolving nature of regional relations, the Soviet Union's policies do appear coherent and consonant with the pursuit of specific objectives. In general terms, these objectives include countering the growth of Peking's influence, gradually diminishing the United States' regional role in Asia, and establishing the USSR regionally as a superpower in fact as well as in name. Evidence that such goals do indeed lie behind Soviet policy toward Japan can be found in the recent history of Soviet behavior toward Japan in bilateral and general Asian contexts, the USSR's proposed Asian collective security system, the buildup of the Soviet Pacific Fleet, and the nature of the economic relationship that the USSR has attempted to foster with Japan. The assumptions that, in turn, inform this policy, assumptions whose importance cannot be stressed too strongly, may be gleaned from published Soviet commentaries and extrapolated from Soviet conduct.

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Containment of China

Surely, the paramount purpose of Soviet policy in Asia has been to contain the People's Republic of China. Thus, prevention of an anti-Soviet alliance of the PRC, the United States, and Japan has been imperative. At those times when it has appeared that Japan might become involved in such an alliance, the Soviet Union has displayed a considerable willingness to extend concessions to Japan. This willingness, however, has diminished markedly since 1972 as the Soviets have acquired greater confidence in their position.

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The announcement in July 1971 that US President Richard M. Nixon would visit Peking early the following year had a highly unsettling effect in Moscow. Consequently, when in September of that year Japan invited Soviet Foreign Minister Andrey Gromyko to Tokyo, Moscow replied after only three weeks that he would be there in January to attend a Bilateral Ministerial Conference.[1] The first and only previous such ministerial conference had been held in 1957. During his 1972 visit, Gromyko offered the Japanese a compromise on the issue of the northern islands; access to Siberian resources; an expanding Siberian market; verbal support against the PRC; and political cooperation where possible on East Asian issues, preferably with Japan as an independent power, but even with Japan as an American ally if Japan so desired. In return, Gromyko asked for a pledge that Japan would not develop a relationship with China that was detrimental to Soviet interests.[2]

Gromyko's two days in Tokyo did not yield great political results.[3] Nevertheless, they were a watershed in Soviet-Japanese relations, because they marked a fundamental shift in the nature of the relationship from mutual neglect to mutual awareness and a varying mixture of cooperation and conflict. The most important initiatives of subsequent months proved to be in the economic rather than the political sphere, in part because the faction leaders of Japan's ruling Liberal Democratic Party and the members of the cabinet of Prime Minister Eisaku Sato had not reached a consensus about political cooperation with Moscow. Further, Sato's tenure in office was clearly coming to an end, and he was therefore not in a position to bring about important political agreements.[4]

In retrospect, this period probably marked the high point in Soviet flexibility vis-à-vis Japan during the last decade. The USSR found itself in a highly unstable situation and thus felt compelled to hedge against all possible outcomes. Hence, Japan's leverage was at its height. Had she been prepared and inclined, Japan might have struck a compromise on the northern islands and obtained an agreement on the principles of economic cooperation, thereby establishing a more equitable basis for the economic aspect of the relationship.

In the period after President Nixon's visit to Peking, however, the conciliatory attitude which had previously characterized Soviet policy faded substantially. The Shanghai communiqué signed by President Nixon and Premier Chou En-lai at the close of the visit appeared to reassure the Soviets that there was little prospect of a close Sino-American relationship and, therefore, little prospect of close cooperation between Peking and Tokyo. While Moscow did not thereafter dismiss relations with Japan, it did assign them reduced importance. The key task of Soviet foreign policy became the nurturing of the détente relationship with the United States, which the USSR hoped would serve as the foundation of world politics and balance the limited relationship developing between the United States and China. In addition, the Soviets began to attempt to institutionalize détente with Western Europe. Japan's significance among the developed capitalist states, then, was clearly secondary in Moscow's eyes to that of the United States and Western Europe.

The decline in Soviet interest in Japan occurred gradually throughout 1972 and 1973 as a series of world developments suggested that international relations were evolving in a favorable way for the Soviet Union and strengthening her global position. Among the more salient of these developments were the January 1973 Paris agreements ending the involvement of American forces in Indochina, the inflation and recession afflicting the economies of the capitalist nations, the disagreements of the capitalist nations on trade and monetary matters, and, at the end of 1973, the onset of the energy crisis, which probably had a profound impact on the Soviet image of Japan.

From the time of Gromyko's January 1972 visit until late 1973, the Soviets showed very little enthusiasm about opening negotiations for a peace treaty with Japan. Economic relations expanded, however, although probably not at the rate the Soviets would have preferred. As economic relations advanced, there was also expansion of lesser forms of cooperation, such as cultural exchanges and the establishment of friendship associations; but the relationship remained constrained—as it continues to be—by disagreements over the conditions of Japanese investment in Siberia and reversion of the northern islands.

In the fall of 1973, the USSR made very clear its objectives vis-à-vis China in the relationship. The Japanese since the fall of 1972 had been urging

[1] *Mainichi Shimbun* (Tokyo), Sept. 28, 1971.
[2] *Asahi Shimbun* (Tokyo), Jan. 25, 1972.
[3] For a copy of the communiqué, see *Pravda* (Moscow), Jan. 28, 1972.
[4] *Yomiuri Shimbun* (Tokyo), Jan. 25, 1972.

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At the opening of the Soviet-Japanese talks in the Kremlin on October 8, 1973. From left to right: Japanese Prime Minister Kakuei Tanaka, Soviet Party General Secretary Leonid I. Brezhnev, Chairman of the USSR Council of Ministers Aleksey N. Kosygin, and Soviet Foreign Minister Andrey A. Gromyko.

—Photo by V. Koshevoy/TASS via Sovfoto.

a meeting between the new Japanese Premier, Kakuei Tanaka, and the leaders of the Soviet Union. After some differences over timing, one was scheduled for October 1973. Prior to the meeting, the Soviets informed the Japanese side that they would like to put Asian collective security at the top of the agenda; within the context of a new security system for East Asia, the questions of a Soviet-Japanese peace treaty and of the northern islands, as well as of Siberian development, could be resolved. According to an official of the Communist Party of the Soviet Union (CPSU) responsible for Soviet-Japanese relations, "Asian security should come first. The territorial question is a minor question that can be settled if a peaceful coexistence structure in Asia is established firmly." [5] Apparently what the Soviets were saying was that they were willing to be magnanimous on the territorial question if Japan could take a constructive official position on the Soviet collective security scheme—which is to say, if it would at least endorse the principle of collective security.[6]

At the summit, CPSU General Secretary Leonid Brezhnev, apparently hoping to obtain modest Japanese support for the concept of collective security, or perhaps at least benign neutrality, appeared to be more flexible than Tanaka. He did not raise the Asian collective security question directly; nor did he object to having Tanaka raise the territorial issue.[7] In fact, the Soviet position on the northern islands had not yet assumed the rigidity which marked it after 1973. Brezhnev had told a joint session of the CPSU Central Committee and USSR and RSFSR Supreme Soviets in December 1972 that the Soviet-Japanese summit would try to

[5] *Nihon Keizai* (Tokyo), July 6, 1973.

[6] *Yomiuri Shimbun*, Aug. 20, 1973.

[7] During the discussions, however, Tanaka continually pressed the territorial issue, and Brezhnev did reportedly become so incensed that he was reluctant to join the second day's session. When Tanaka pursued the issue that day also, Brezhnev, according to a Soviet source quoted by a Japanese newspaper, "finally exploded in anger. . . . He was so angry that he told the Prime Minister to stop discussing the matter." According to the source, "if Tanaka's approach had been more moderate, Mr. Brezhnev might have permitted the employment of expressions [in the communiqué] more advantageous to the Japanese side." *Tokyo Shimbun*, Oct. 12, 1973. For a copy of the communiqué, see *Pravda*, Oct. 11, 1973.

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settle "questions remaining from the time of the Second World War and to provide a treaty basis for relations between [the two] countries. [The Soviet Union would seek] a mutually acceptable accord on the entire range of questions under discussion." [8] On another occasion, the CPSU had agreed with a delegation of the Japan Communist Party that the peace treaty should be linked to the return of the smaller islands of Habomai and Shikotan, leaving the status of the two larger ones, Kunashiri and Etorofu, for future negotiations.[9] *Pravda* and *Izvestiya,* in reporting on Tanaka's luncheon for the Soviet leadership, printed the Prime Minister's statement that the two sides had discussed "the conclusion of a peace treaty based on a resolution of the territorial question . . . the most important unsolved problem in our relations." [10] It is hard to read the publication of these remarks as anything other than an indication that, at the time, the Soviets still considered the territories negotiable. The reversal of the Soviet position came later, after the USSR perceived that the danger of close Sino-Japanese cooperation had decreased and after, as we will see, the dispute had become "triangularized" by China's entry into it. It seems reasonable to infer, then, that what the Soviets wanted was a peace treaty which would sanction limited Soviet-Japanese cooperation in the political realm while temporarily ignoring the US-Japan security relationship, and which would express Japan's support, however vague, for the eventual development of some form of collective security system in Asia.

Prime Minister Tanaka's government declined to be accommodating. Unlike the Soviet Union, Japan did not view Soviet-Japanese relations so much in terms of a regional strategy as it did in terms of the bilateral benefits, primarily economic, that could accrue to each party. Moreover, the two sides were obviously working from fundamentally different perspectives: Japan was essentially satisfied with the quadrilateral status quo; the Soviet Union was attempting, if gradually, to bring about fundamental changes in it.

Nonetheless, Japan's disinclination or inability to employ the leverage it enjoyed meant that if the Soviets could not get everything they wanted from the relationship—in a strategic and economic sense—they would at least not have to pay a high price to keep Japan from pursuing policies which could seriously harm Soviet interests, for it was evident that Japan had no intention of pursuing such policies. Specifically, it became apparent that the threat of a serious anti-Soviet Sino-Japanese arrangement was marginal. Therefore, despite repeated efforts in 1974, Japan was unable to persuade Brezhnev, Premier Aleksey Kosygin, or Gromyko to visit Tokyo, and the Soviets displayed little interest in a renewal of peace treaty negotiations.

Soviet Foreign Minister Andrey Gromyko and Japanese Prime Minister Takeo Miki during their January 1976 talks in Tokyo.

—Keystone.

Late in 1975, however, then Prime Minister Takeo Miki reversed an earlier Japanese position on a peace treaty with China and suggested that Japan would be willing to sign if a mutually agreeable draft of the anti-hegemony clause that Peking was proposing to include in it could be arrived at.[11] This

[8] *Izvestiya* (Moscow), Dec. 22, 1972.
[9] *Sankei* (Tokyo), Sept. 29, 1971.
[10] *Pravda* and *Izvestiya*, Oct. 11, 1973.

[11] At the time that Japan and the PRC established diplomatic relations in September 1972, the Chinese leaders still regarded the two countries as in a legal state of war, despite Japan's signing of a peace treaty with the Chinese Nationalists in 1952. The two parties, therefore, agreed to conclude a "treaty of peace and friendship" without explicitly declaring the earlier treaty with Taipei illegal. See the joint communiqué issued by the two countries on Sept. 29, 1972, as released by New China News Agency. When negotiations for such a treaty got under way, however, the Chinese insisted on including a clause in it that recorded the two countries' opposition to efforts by other countries to seek hegemony in Asia. This clause appeared to the Japanese not only to be directed at the USSR, but also to raise questions about Japanese security ties with the United States.

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did bring Gromyko quickly to Tokyo in January 1976 with an offer to return two of the four northern islands in exchange for a firm pledge that Japan would not be party to an anti-hegemony clause. Japan was offended by what it regarded as a Soviet intrusion into a bilateral matter in Sino-Japanese relations. The Japanese turned down Gromyko's offer, and Prime Minister Miki announced that negotiations with China would proceed.[12]

By this time, it was clear that Japan had become deeply ensnarled in the Sino-Soviet dispute. Moscow appeared to be making major decisions concerning bilateral issues on the basis of the impact the decisions would have on the Sino-Soviet competition. This was particularly the case with the northern islands. The Soviets tied a compromise on the question to a pledge by Japan that she would not agree to an anti-hegemony clause in a treaty with China. By the same token, China had picked up Japan's cause for its own ends with Politburo member Yao Wen-yüan proclaiming that the Soviet refusal to return the islands was proof of Soviet "hegemonism."[13] The intensity of China's involvement rendered it difficult, moreover, for the Soviets to accept Japan's position, because to do so would be to encourage China to press its own territorial claims against the USSR.

Throughout the last decade, in sum, the Soviet Union has negotiated from a decidedly stronger position than Japan. This strength is due to the lesser importance it assigns to their bilateral relationship, to its more clearly conceived objectives, and to the inability, to date, of three successive Japanese premiers to use Japan's "swing position" effectively.

Plainly, the Soviet leadership would welcome the development of as many points of contention as possible in Sino-Japanese relations. This is one reason they have striven to interpose China between Japan and a settlement on the northern islands. It is also for this reason that they have encouraged, despite a certain ambivalence with respect to the immediate future, measures to make Japan more independent of the United States. Insofar as Japan develops a more active diplomatic posture in East Asia, it is likely to come into conflict with China.

While it is to Soviet benefit for Japan to assume a more independent posture—because such would minimize the Sino-Japanese relationship, reduce American sway in Tokyo, and consequently allow the Soviets to negotiate with Japan on a footing more nearly equal to that of the other states of the quadrilateral—greater independence poses at least a latent military risk. The Soviets have apparently downgraded the danger of Japanese rearmament in recent years, but its prevention, no matter how remote the possibility of significant rearmament may appear at present, must remain a constant goal of Soviet policy by force of geography.

This goal has been nowhere more evident in recent years than in the Soviet Union's policies toward the Korean peninsula. The Soviets are in all likelihood aware that a renewed Korean conflict would spark an intense Japanese debate about the merits of rearmament and quite possibly cause the Japanese government to rearm. Consequently, Soviet policy toward the peninsula has been characterized by a low level of support for North Korea, intermittent contacts with the South, and a clear preference for the present de facto division and probably a desire to see the division ultimately made de jure.[14] The most recent demonstration of these attitudes has been *Pravda*'s reporting of Pyongyang's criticism of the Japan-South Korea Continental Shelf Agreement without voicing support for North Korea's position.[15]

Korea thus appears to provide a rare instance in which the Soviet Union has consciously shaped an aspect of its East Asian policy with Japan and Japan's reaction fundamentally in mind. That Korea is the exception rather than the rule reveals the present limited scope of Japan's leverage in its relations with the USSR.

Other Political-Strategic Goals

Aside from containment of China, Soviet policy toward Japan has been aimed in part at reducing the American role in Asia. From the time the US-Japan Security Treaty was signed in 1951 to about 1971, the USSR consistently worked for its dissolution. The Soviet collective security scheme for East Asia, which calls for an ending of all current regional security relationships, indicates clearly that the Soviets would still like to see the ultimate abroga-

[12] *Mainichi Shimbun*, Jan. 28, 1976. For a copy of the communiqué, see *Pravda*, Jan. 14, 1976. For Soviet comment on the meeting, see *Izvestiya*, Jan. 15, 1976.

[13] *Nihon Kezai*, Oct. 9, 1975.

[14] For an extensive analysis of the major powers' policies toward the peninsula, see Joseph M. Ha and Gregory M. Luebbert, "A Korean Settlement: The Prospects and Problems," *Asian Survey* (Berkeley, CA), August 1977.

[15] *Pravda*, June 14, 1977.

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A Soviet ship off the island of Shikotan, one of the four "northern islands" the USSR occupied at the end of World War II and whose status remains a political issue between the two countries.

—Photo by O. Galushko/TASS via Sovfoto.

tion of the treaty.[16] However, since 1972, Soviet commentaries on the treaty have been rather muted —largely, it seems, in recognition that constant criticism is counterproductive in terms of the bilateral relationship with Japan and ineffective in terms of accelerating the treaty's demise. Further, at a time when the projection of Soviet power in the region is still very new and largely unaccepted, the Soviets probably prefer the stability the treaty provides.

Nonetheless, the desire to see a gradual reduction of American involvement in the region remains a guiding impulse of Soviet policy, and the treaty's eventual dissolution would facilitate this reduction as no other event could. For the present, most of the smaller Asian states perceive little need for the stepped-up Soviet role as long as the United States remains regionally active; they are satisfied with the Soviets as a marginal counterweight to China. Diminution of American involvement, however, would make the Soviet Union considerably more attractive in this respect, thereby facilitating a greater Soviet role. Moreover, the inevitable loss of credibility that the United States would suffer were Japan to abrogate the treaty would make close cooperation with the United States much less attractive to the PRC and dramatically reduce its likelihood.

The Soviet Union's Japan policy must also be understood within the context of the Soviet search for a legitimization of its involvement in East Asian affairs. Despite repeated claims to a role on the basis of history, geography, and superpower status, the Soviet Union remains, in the eyes of most East Asian leaders, very foreign, and its purposes highly suspect. Were Japan to agree to a peace treaty of the type the Soviets have offered—one that would formally lay the basis for informal political cooperation—Soviet involvement might then seem to have acquired the official blessing of an important East Asian government.

There exists one final connection between the regional objectives of the Soviet Union as revealed by the collective security scheme and the relationship with Japan: a desire to cultivate support for de jure recognition of the territorial status quo. This desire, intimately related to the dispute with China, is one of the sources of the Soviet refusal to return all four northern islands to Japan. Were the USSR to obtain Japan's recognition of Soviet sovereignty over the islands, China would be the only country left with unsettled claims to territory under the USSR's control, and the legitimacy of these claims would at least appear to be more questionable. Moreover, Japan's acceptance of Soviet sovereignty over the islands would facilitate Moscow's long-range goal of an Asian version of the Helsinki Conference, which would legally recognize the territorial status quo and legitimize the Soviet Union's political involvement in the region.

One of the most striking aspects of the Soviet Union's efforts to appropriate for itself a greater role in East Asian politics has been the growth in recent years of the Soviet Pacific Fleet from a marginal coastal defense organization to a full-fledged blue water force. Since 1965, under the

[16] For elaborations of the collective security concept and the role it could play in Asia, see Viktor Mayevskiy, "Collective Security in Asia: Pressing Problem," *Pravda*, June 21, 1972, and S. Tikhvinskiy, "Collective Security in Asia: Prerequisites and Principles," *Mirovaya ekonomika i mezhdunarodniyye otnosheniya* (Moscow), January 1974.

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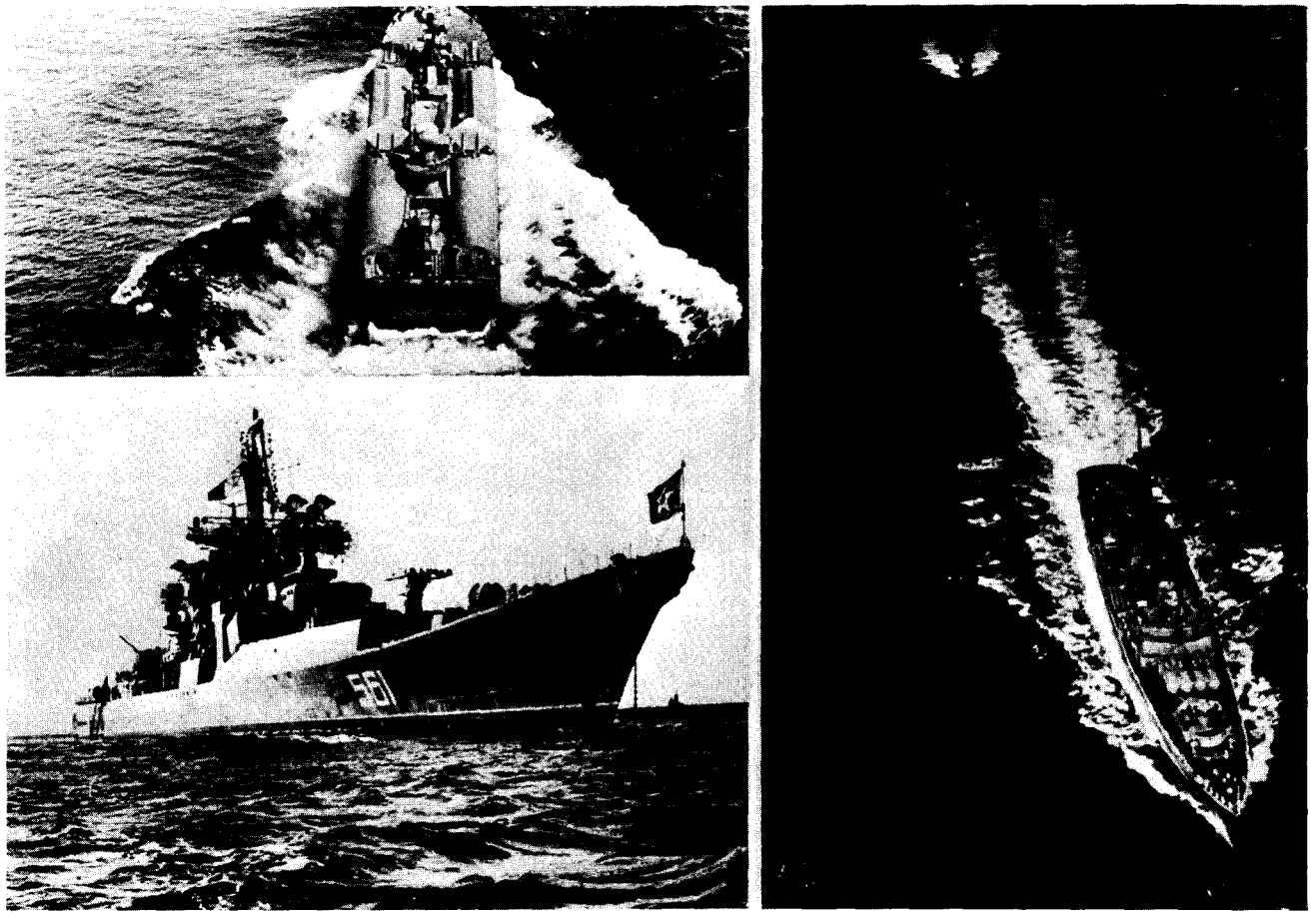
leadership of Admiral Sergey Gorshkov the long-neglected Soviet navy has gradually been transformed into an integral instrument of Soviet foreign policy. In a thoughtful essay published several years ago, the Admiral displayed a clear understanding of the realpolitik value of naval power. After examining at length the influence of the British and American navies on global history over the past three centuries, he made it clear that his warships were ready to inaugurate a new era of gunboat diplomacy:

With the emergence of the Soviet navy onto the ocean expanses, our warships are calling with continually greater frequency at foreign ports, fulfilling the role of 'plenipotentiaries'. . . . visits of Soviet navymen make it possible for the people of many countries to become convinced of the ideas of communism. . . . Soviet navymen . . . are bearing the truth about the first socialist country in the world, about communist ideology and culture and about the Soviet way of life. . . . They are clearly and convincingly spreading the ideas of the Leninist peace-loving policy of the Communist Party and the Soviet Government through many countries of the world. It is impossible to overestimate the significance of this ideological influence.[17]

The Soviet Pacific Fleet has benefited from Gorshkov's expansion program, although, in reflection of Soviet priorities, not to the same extent as the North Atlantic and Mediterranean Fleets. In tonnage, the Pacific Fleet has grown by about one third in the past 10 years. In firepower, it has grown threefold.[18] Not for many years will the Fleet be able

[17] Cited in *Far Eastern Economic Review* (Hong Kong), Oct. 31, 1975, p. 29.
[18] *Tokyo Shimbun*, Oct. 26, 1975.



New ships in the Soviet "Red Banner" Pacific Fleet: at the top left, a missile patrol boat; at the bottom left, the antisubmarine vessel Admiral Oktyabrskiy; *at the right, the guided-missile cruiser* Varyag.

—Pictorial Parade.

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to challenge the United States for supremacy in the Pacific; however, it is already carrying out several important political missions in Asia and the Pacific and is capable of performing several military missions.

Perhaps the clearest insight into Soviet-military objectives was provided by exercises conducted in April 1975. One Soviet task force maneuvered in the Sea of Okhotsk, southwest of Kamchatka Peninsula, in what are virtually home waters but very close to the northernmost Japanese island of Hokkaido. Another task force took up station in the Pacific 300 miles east of Japan. A third cruised northwest of the Caroline Islands. In short, each operated along the busy shipping lanes which keep Japan supplied with everything from food to oil.[19]

The Soviet naval presence is clearly not directed principally at China, for a Sino-Soviet war would be decided on the plains of Manchuria, with naval forces playing only a marginal harassment role. Rather, this presence is directed, from a military standpoint, primarily against the United States and Japan. In the case of an all-out Soviet-American war, such forces could be used to knock out American bases in the Pacific and on the West Coast of the United States. As far as Japan is concerned they could be employed, as the naval exercises show, to cut off or harass Japanese shipping. That this would be their purpose seems confirmed by Soviet naval activities in the Indian Ocean. A Soviet task force detached from Vladivostok off Nakhodka began taking up station in the Indian Ocean as early as 1970. This force is still maintained there on a three-month rotational basis—far in excess of the more spasmodic American presence.[20] Since the USSR has no identifiable regional interests there, the patrol seems to be aimed, militarily, at cutting Arab oil supplies moving east in the event of war.

The Pacific Fleet might also be used to attempt to put pressure on Japan without precipitating all-out war. Attacks on Japanese shipping far out in the Pacific would quickly paralyze Japan's economy but might not prove sufficient grounds for full-scale United States counteraction. Article Five of the Mutual Defense Treaty covers only direct attack upon the Japanese home islands.

The military role of these naval forces, however, is currently of less significance than their psycho-political role. In the latter connection, they have, first, the proselytizing function Admiral Gorshkov described. But there is also the effect of the sheer presence of the fleet in Asian waters. The fleet is a very tangible manifestation of Soviet power, a power which is not yet widely welcomed in East Asia. By simply being there over time, the fleet will accustom Japanese and other East Asian leaders to its presence. And as the presence of the fleet comes to be perceived as normal, increased Soviet political activity is also likely to be seen as normal. Thus, in a sense, the fleet provides a cutting edge for Soviet political involvement.

The Economic Factor

Although the most important long-range Soviet objectives vis-à-vis Japan are to be found in the political and strategic realms, the Soviets for the present have little to offer Japan in these respects. Therefore, they have striven to make economics the foundation of the relationship. The benefits of economic cooperation per se, although attractive, are probably not of overriding significance to the Soviet leaders. They have attempted to employ economic means in pursuit of political-strategic objectives. This effort has been threefold in its aims: (1) to promote the rapid development of Siberia and the Soviet Far East; (2) to provide a basis for long-term Soviet-Japanese cooperation; and (3) to develop a greater Japanese stake in a position of equidistance from the major powers.

To facilitate the development of their East Asian territories, the Soviets have offered Japan access to Soviet raw materials in exchange for long-term credits for machinery purchases in Japan and elsewhere. Economic development of these territories will dramatically enhance the USSR's power position in Asia.[21] For instance, the Baikal-Amur Railway, when finished (the target date for completion is 1983), will make possible the economic exploitation of regions that had previously been inaccessible. It also seems certain that the Soviet leaders have committed themselves to the creation of an industrial infrastructure in Siberia during the 1980's. This will have a significant military impact. The gap between Soviet and American power in the Pacific

[19] *Far Eastern Economic Review,* loc. cit.
[20] Ibid.
[21] For an analysis by a Soviet writer of the resources and economic potential of Siberia and the Soviet Far East, see Boris N. Slavinsky, "Siberia and the Soviet Far East within the Framework of International Trade and Economic Relations," *Asian Survey,* April 1977.

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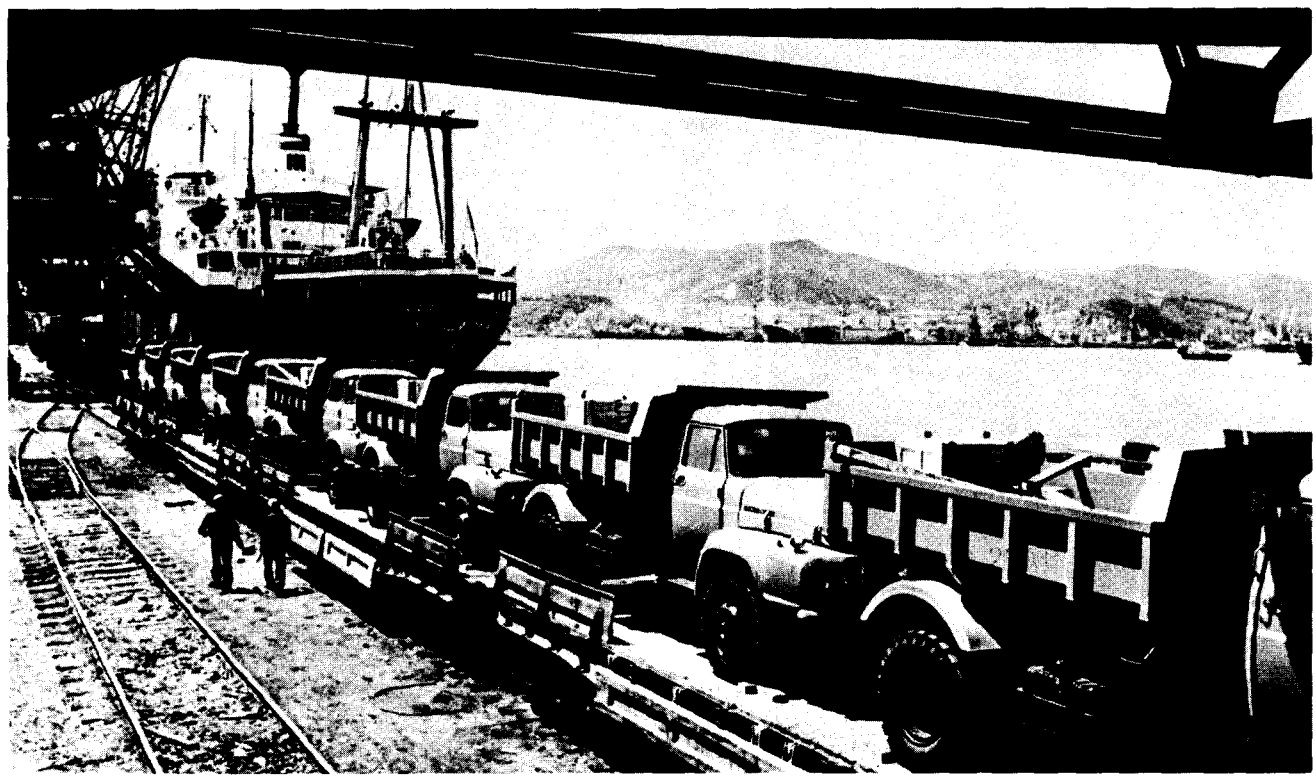

The Soviet ship Kho Shi Min *[Ho Chi Minh], of Vladivostok, unloads Japanese equipment which will be used at new lumber operations being developed along the Baikal-Amur Railway.*

—Photo by Yu. Muravin/TASS via Sovfoto.

will narrow substantially, while Soviet military power vis-à-vis China and Japan will become overwhelming. In particular, the region's development will strengthen the transport and supply base of the Soviet Pacific Fleet.

Soviet proposals for economic cooperation with Japan have been formulated almost entirely on the basis of the requirements of rapid economic development rather than mutual interests. Moreover, the Soviets have attempted to develop cooperation on the basis of packages of projects, packages which include elements intrinsically unattractive to Japan. For example, in April 1974 Japanese and American firms concluded an agreement with the Soviet Union providing one billion dollars in credit for joint exploration for natural gas in Yakutsk,[22] and in June of that year Japan also agreed to furnish capital and equipment for the development of coking coal in the Yakutsk region. Each agreement, however, contributed either directly or indirectly to the construction of the Baikal-Amur Railway; a part of the credit extended for each project was to be diverted to construction of the railway.[23] And in light of Peking's sensitivity to any increased Soviet capacity to move personnel and equipment along the Sino-Soviet borders, this situation potentially complicated Sino-Japanese relations.

There is an additional, more subtle purpose behind Moscow's expansion of economic ties with Japan. The long-range development of such ties will provide Japan with a strong incentive to move toward a more balanced position in the world power quadrilateral. Today, Japan for all practical purposes conducts an independent, albeit low-key, foreign policy even though it maintains its strategic relationship with the United States. For example, it has launched out independently in its relations with China, Vietnam, North Korea, Mongolia, and the Arab states. In all but the first instance, Moscow has applauded these initiatives. Moscow would obviously like to cooperate with Japan in limiting China's regional role and diminishing that of the United States.

To be sure, up to now the Soviet Union has not

[22] *The New York Times*, April 24, 1974.

[23] V. Syrokomskiy, "Soviet-Japan Trade Thrives," *Literaturnaya gazeta* (Moscow), April 2, 1975.

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been able to fashion an economic relationship of the magnitude it would like with Japan. But what it has obtained, it has gotten almost entirely on its own terms, and its gains have probably surpassed its initial expectations. The first government-to-government trade agreement, covering the period 1971-75, was concluded in September 1971. It projected an increase in total volume of trade from the equivalent of US$791 million in 1971 to the equivalent of US$1.27 billion in 1975.[24] The actual trade turnover proved to be much greater: total two-way trade was about US$2.7 billion in 1975.[25] And each of the major Siberian projects increased the attractiveness of long-term collaboration. As a Soviet writer observed in April 1975:

Now we have the Sakhalin project covering a ten-year period, the Yakutsk project for over 20 years, the purchase of equipment in credits extended over eight to sixteen years. . . . The year 2000 . . . is figuring more and more in business transactions.[26]

Moreover, the Soviet Union, which until recently had no effective lobby in Japan, is gradually developing a network of support among industries at all levels. Beyond fueling the obvious interests of the major corporations in the fields of heavy industry, Moscow is gradually creating cooperative relations with a significant number of small and medium-size industrial firms in Japan. The Soviet Far East export-import organization, Dal'intorg, now coordinates trade with more than 100 small and medium-sized firms, and this number is likely to continue rising gradually.[27]

Assumptions of Policy

Our analysis thus far suggests a number of important conclusions with respect to the assumptions that Soviet leaders employ in the formulation of policy toward Japan. First, it is evident that since early 1973, they have not expected and have not sought dramatic breakthroughs in their relations with the Japanese. They act in the belief that the relationship will develop to the level they desire only very gradually and that it is Japan which will make the adjustments, not the Soviet Union. For the present, they offer no concessions because Japan poses little threat, because they perceive the prospects of a close Sino-Japanese relationship as marginal, and because their reading of Japan's domestic situation and international position in the coming years leads them to believe that it will find better relations with the Soviet Union essential.

The concept of gradualism has strongly influenced Soviet conduct in every aspect of the relationship. In an important address, frequently quoted by Soviet writers, General Secretary Brezhnev, on the occasion of Prime Minister Tanaka's October 1973 visit to Moscow, expressed the basic Soviet conception of the relationship:

The task, as we understand it, now consists in laying the foundation for good-neighbor relations between

Offices of the Japanese-Soviet Trade Society of the island of Hokkaido, an organization uniting more than 220 trade, industrial, and banking firms.

—Photo by M. Demchenko/TASS via Sovfoto.

[24] Bhabani Sen Gupta, *Soviet-Asian Relations in the 1970's and Beyond*, New York, Praeger, 1976, p. 285.

[25] US Department of Commerce, *Foreign Economic Trends and Their Implications for the United States: the USSR*, Washington, DC, US Government Printing Office, 1977, p. 3.

[26] *Literaturnaya gazeta*, April 2, 1975.

[27] Slavinsky, loc. cit., p. 328.

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the Soviet Union and Japan over a really long historical period. . . . this task, of course, is not a simple one, and it can scarcely be accomplished at a single stroke. . . .While moving in this direction, we may encounter still more difficulties . . . we hope we will succeed in moving our positions closer together in some respects. The Soviet Union and Japan can hold different views on and make different appraisals of particular international problems or questions of bilateral relations. But we would like for the sphere of our differences to diminish gradually.[28]

The perception that the USSR possesses superior leverage—politically, economically, and strategically—and that Japan is incapable of exercising the leverage it has is crucial and informative of Soviet policy. This view derives from Soviet appraisals of Japan's domestic political situation and of her position in the world of power politics.

Moscow appears confident that growing domestic instability in the late 1970's and the early 1980's will keep Japan diplomatically weak. The coming years, say the Soviets, will witness social and political polarization in Japan. Analysts note the weakness of every prime minister in this decade and conclude that each government has proved unable to deal effectively with the pressing problems of Japanese society. *Pravda,* for example, took the view that the fall of the Tanaka government resulted from an economic crisis that would become inexorably more acute and would be a feature of Japanese society for many years to come.[29]

The assumption that the USSR has the stronger bargaining position is reinforced by Soviet perceptions of Japan's international economic position. Its dependence on international trade, the vulnerability induced by a dependence on foreign oil and raw materials, and growing trade conflicts with Europe and the United States leave Japan, say the Soviets, in desperate need of Soviet trade and long-term investment opportunities. As *Pravda* has put the matter:

People in Tokyo remember that it is this very cooperation that can facilitate stable development of the Japanese economy, so important during . . . Japan's ever-worsening trade conflicts with the United States and the Common Market countries.[30]

The Soviet attitude has been bolstered further by what the Soviets regard as Japan's frequent failure to decide quickly and clearly just what economic relations it will accept and how firm it will be in negotiations. During his 1973 summit with Brezhnev, for example, Tanaka reversed an earlier Japanese posture and agreed that Japan would participate in Siberian development despite nonresolution of the territorial question; he even committed Japan's Export-Import Bank to provide 80 percent of the credits Japan might have to supply for the development of the Tyumen' oil fields if an agreement were consummated. After Tanaka's return from Moscow, Foreign Minister Ohira said that the territorial issue could be settled only in the course of the development of Japan-USSR relations, thus conceding the Soviet position. He also held that "it would not be proper for Japan to follow parallel lines forever," meaning that Japan would not continue to make a resolution of the territorial question a precondition of involvement in Siberian projects.[31]

Although the Soviets heartily applauded Japan's adoption of an independent, pro-Arab policy as a result of the short-lived Arab suspension of oil deliveries in the wake of the 1973 Middle East War, they clearly interpreted the action as indicative of Japan's acute vulnerability and its consequently weak political position. Soviet commentaries after the autumn of 1973 came more and more to emphasize Japan's tenuous economic status.[32]

Statements by prominent Japanese leaders—especially in 1973 and 1974—to the effect that Japan must maintain friendly relations with all of the major powers and that it has become "caught" in the great-power triangle have quite probably strengthened the belief of the Soviets in the validity of their perceptions of Japan as diplomatically weak. There is perhaps no more striking example of this sort of remark than Foreign Minister Kiichi Miyazawa's comment to Gromyko, just prior to their January 1975 consultations in Moscow, that "Japan-Soviet relations are a life or death problem for Japan."[33] Although this statement contains a certain objective truth, it is exceedingly difficult to imagine an official of any other major world power making it. Such a statement gives the impression, correct or not, that Japan is bereft of the ability to bluff and incapable of standing firm. Perhaps as

[28] *Pravda*, Oct. 9, 1973.
[29] Ibid., No. 28, 1974.
[30] Ibid., April 17, 1977.
[31] *Mainichi Shimbun*, Oct. 27, 1973.
[32] See, for example, *Pravda*, Nov. 28, 1974.
[33] *Sankei*, Feb. 3, 1975.

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striking as the remark itself is the fact that it aroused very little reaction in the Japanese printed media.

Soviet policy is further informed by an expectation that Japan will find itself in growing conflict with the United States and the European Economic Community. The Soviets follow trade negotiations between the developed capitalist nations closely and regularly note protectionist measures against Japan. They assume that the Japanese economy requires ever-growing foreign markets to provide the stimulus needed to compensate for lagging domestic demand in times of recession, and they anticipate the application of increasingly severe restrictions by Japan's capitalist trading partners. Likewise, the Soviets foresee a growing division between Japan and the West over the course to be followed in relations with the Third World, because of the acute Japanese need to placate nations which produce raw materials. The implication is that these disputes will ultimately spill over into the political realm and compel Japan to adopt a more "balanced" foreign policy and accept economic ties with the USSR on Soviet terms.[34]

Prospects

As to the future, the tension of the present "time of troubles" in Japanese-Soviet relations is likely to recede over the next year. There are already indications that the Soviet leadership is concerned that relations not be allowed to deteriorate further. These signals include Brezhnev's personal meeting with Ishida Hirohide, Chairman of the Parliamentary Japanese-Soviet Friendship Society and Minister of Labor, on June 15 of this year[35] and Soviet expressions of willingness to finally renew the bilateral trade pact which had expired in 1975.[36]

If tensions do ease somewhat, there is likely to be a renewed growth of economic ties. This growth will probably be gradual rather than spectacular, but in 10-15 years the cumulative impact could be substantial. It is this economic aspect of the relationship that the Soviets hope will form the bridge between the present, when Japan remains closely aligned militarily with the United States, and the future, when the Soviets expect Japan to be compelled to end its strategic relationship with the Americans.

In the early years of this decade, the Soviets wanted informal cooperation at the political level, but they no longer have major short-range expectations in this regard. They certainly are not attempting to found a near-term alliance. Rather, they would like, over the long term, to have to deal with a Japan increasingly equidistant from the major powers. From their perspective, such a development would represent substantial progress and yield important benefits. Their goal remains the development of a position of political dominance in East Asia; a more independent Japan would facilitate this.

They realize that should Japan assume a posture of equidistance, it will do so largely as a result of developments external to the bilateral relationship, and they assume that there is very little that they can do in the present situation to bring about such an occurrence. Therefore, they have attempted to anticipate long-range developments and lay the groundwork which will allow them to utilize these developments most effectively. Their scenario for the future is a Japan domestically divided, diplomatically weak, and economically precarious. It is for this reason that they have found little incentive to be magnanimous in the case of the recent disputes. Because the Soviets have quite low near-term expectations and because they perceive Japan's bargaining position as inferior, they see neither the necessity nor the desirability of substantial concessions at present.

[34] For Soviet analyses of Japan's international economic position, see G. Krasin "Soviet-Japanese Relations," *International Affairs* (Moscow), May 1976; O. Bogdanov, "Competition in the Capitalist World," ibid., April 1977; and *Pravda*, April 17, 1977.

[35] *Pravda*, June 16, 1977.

[36] *Far Eastern Economic Review*, June 24, 1977, p. 10.

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Books

Marxism in Metamorphosis

By Alfred G. Meyer

R. N. BERKI. *Socialism.* London, St. Martin's Press, 1976.
A. ROSS JOHNSON. *The Transformation of Communist Ideology: The Yugoslav Case, 1945-1953.* Cambridge, MA, The MIT Press, 1972.
MIHAJLO MARKOVIĆ. *From Affluence to Praxis: Philosophy and Social Criticism.* Ann Arbor, MI, University of Michigan Press, 1974.
SVETOZAR STOJANOVIĆ. *Between Ideals and Reality: A Critique of Socialism and Its Future.* New York, NY, Oxford University Press, 1973.
ROGER GARAUDY. *The Crisis in Communism: The Turning Point of Socialism.* New York, NY, Grove Press, 1970.
G. H. R. PARKINSON, Ed. *Georg Lukács.* New York, NY, Random House, 1970.

THE LATE George Lichtheim once contended that we have come to a point where we can study Marxism dispassionately because it no longer is alive. Contrast this statement with the recent study of socialism by R. N. Berki, reviewed in this essay, in which the author argues that socialism, especially in its Marxist forms, is the all-pervasive global ideology of our century and that all or most important questions of political theory in our age are questions generated within Marxist and socialist thought—a view that certainly projects Marxism as a living ideology.

Both of the authors I have cited may have been referring to the same phenomenon—namely, the variety of interpretations to which the ideas of Friedrich Engels and Karl Marx have been subjected. One could refer to this as the disintegration of Marxism. But one could also see it as evidence that the movement or the school of thought to which we give that name is vibrantly alive today. What must be stressed is that these are not necessarily—or at least wholly—contradictory concepts, as I hope to demonstrate in the course of this essay.

When Marx made his famous remark that he was not a Marxist, he meant to indicate that he disliked the interpretations his own followers and friends, including his sons-in-law, were giving to his theories. "I have sowed dragons' teeth," he once said to Engels, "and have harvested fleas." The truth is that Marx did not believe his closest friends and disciples understood him. Just consider the stormy relationship he and Engels had with their most loyal defender in Germany, Wilhelm Liebknecht. It is obvious to anyone studying this relationship that even during the life of Marx the men and women leading the movement named for him were at odds with each other, and with the founding fathers themselves, over questions of theory and political action. Since then, the process of differentiation or disintegration has continued; and long ago it became impossible to give any kind of authoritative definition of Marxism. It is not a movement but a cluster or constellation of movements.

What holds the constituent parts of this constellation together is little more than the common origin, the common vocabulary, and the common allegiance each of the self-confessed Marxists owes (or believes he owes) to the ideas and policies of Engels and Marx. The historian observing this disintegration of what once seemed a reasonably unified and unambiguous movement may be tempted to make comparisons between what happened in Marxism and what happened in previous schools of thought—from Christianity to liberalism, from the heritage of Plato to that of G. W. F. Hegel.

I thought of both Marxism and liberalism when I recently read Edward P. Thompson's impressive work on the rise of the Eng-

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lish working class.[1] Early in the book he discusses the disintegration of English nonconformism into three distinct strands—the unitarianism of genteel intellectuals, the hard-line sectarianism of the Methodists, and the radicalism of the English Jacobins. His description of the Unitarians suggested the learned and cultured Marxism of the Frankfurt school; his treatment of the Jacobins made me think of contemporary Third World Marxism; and his remarks about Methodism reminded me of Stalinism—especially his description of the double function Methodism fulfilled as a consumption and status ethic for the climbers and the successful and as a harsh work ethic for the poor.[2]

If we turn from the case of English nonconformism to liberalism, we will probably come to the conclusion that a much more complicated system of classification will have to be thought out to accommodate the many divergent schools that have developed from it. The conservative economics of Milton Friedman, the pluralist elitism of Robert A. Dahl, the cold war liberalism of W. W. Rostow and Samuel P. Huntington, the technocratic liberalism of Zbigniew K. Brzezinski, the welfare state liberalism of John K. Galbraith, and many other schools of thought — including democratic socialism and in a certain sense revolutionary socialism, syndicalism, and anarchism—have sprung from the same ideological source: liberal and democratic theory. One look at the divergent pieces into which liberal democratic theory has broken will persuade anyone that Humpty Dumpty cannot be put back together again.

Is the case with Marxism similar?

Ideologies have a tendency to disintegrate into mutually opposite schools because they have tensions, contradictions, unresolved questions, and ambiguities in them to begin with. This is true particularly of the most important, the more seminal ideologies, because their greatness, their lasting impact, is related to the fact that they attempt to integrate much or all of previous thought and to answer the most puzzling questions. With respect to Marxism, an English specialist in literary criticism recently made the point very well in one of the books reviewed here:

. . . in the perspective of the history of ideas, Marxism is not a single ideology, or body of doctrine, or set of prescriptions of method in the social or human sciences, let alone a number of unambiguous prescriptions for relating theory to practice in dialectical or other ways. Like Darwinism, Marxism is a large intellectual family of alternative versions of all these things. It is so already in the writings of Marx; in the corpus of publications in which Marx and Engels collaborated; and by the beginning of this century there were many exponents of Marxism . . . whose views, in different areas—whether of dialectical or historical materialism or of the development of these in relation to revolutionary planning—were vastly divergent.[3]

Indeed, quite a few contemporary Marxists would concede that Marx's ideas lend themselves

[1] E. P. Thompson, *The Making of the English Working Class*, New York, NY, Random House, 1966.

[2] Ibid., pp. 34, 350 ff., esp. pp. 356, 357. It ought to be pointed out that other ideologies have functioned in analogous dual fashion; one might adduce Confucianism, Lutheranism, and the ideology of free enterprise, which, according to some wits, spells free enterprise for the poor and socialism for the rich.

[3] A. G. Lehmann, "The Marxist as a Literary Critic," in G. H. R. Parkinson, pp. 172-73.

Reviewers in This Issue

ALFRED G. MEYER—Professor of Political Science, University of Michigan (Ann Arbor, MI); author of major volumes on *Leninism*, 1957, and *Marxism*, 1963; currently at work on a biography of Friedrich Engels.

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to conflicting interpretations; a convenient example would be the Yugoslav philosopher Svetozar Stojanović, whose most recent book is also reviewed here.[4] It is no more than common sense to assume that the divergent schools base themselves, to some extent, on such conflicting interpretations.

HOW, THEN, might one conveniently sort out the various Marxisms? What schemes might one use to think about this process of disintegration? The effort at classification is not an arid exercise in empty formalism. Instead, it seems useful to worry about the kind of order one might impose on the chaos of facts, because sorting out, classifying, and establishing criteria for such categorization is one essential aid to an understanding of what has happened.

A few years ago the humanist philosopher Henryk Skolimowski sought to provide such a scheme for classifying the divergent schools of Marxism. He identified four key concepts of Marxist philosophy — history, dialectics, praxis, and alienation—and distinguished three positions Marxists have taken with regard to each of these concepts. Skolimowski then assigned to each of these positions a place on the continuum from right-wing, through moderate, to left-wing, thus establishing twelve definitions; and by distilling philosophic positions from a person's writings, one could then identify the writer as right-wing, left-wing, moderate, or confused. The fact that Marx himself, at one time or another, held every one of these dozen views might already indicate how brittle a synthesis Marxism was from the very beginning.[5]

What Skolimowski labeled right-wing Marxism is an interpretation centering on economic determinism and the dialectic of nature; his left-wing Marxism might be characterized as focusing on the active subject and on a critique of Soviet-type societies. Such categories lead to strange classifications. For instance, Engels, V. I. Lenin, and Leon Trotskiy come out as right-wing Marxists; Rosa Luxemburg I would guess to be a moderate; while Georges Sorel falls on the left wing. Like Marx, furthermore, most contemporary individuals would be virtually impossible to classify.

Therefore, it is my general opinion that the political labels picked for this scheme are misleading, and that the scheme suffers from the arbitrary choice of the key concepts chosen. I miss particularly the more political parameters, such as leadership, organization, attitude toward reform, and the crucial element of timing.

All cultures have their magic numbers: seven in Buddhism and Judaism, three and also twelve in Christianity. Sometimes an even holier number is the magic number squared: seven times seven recurs in the Old Testament. For modern civilization the magic number seems to be two—the simplest schemes are binary, and we have computers as well as a numbers system based on binary principles. Positive science, with its either-or proposition, seems to suggest such principles. In social science, the holy number is two squared. I believe that the prevalence of fourfold classification schemes in contemporary social science is explainable in part by the two-dimensionality of our principal medium — paper. We must fit our knowledge to that medium.

Many years ago my friend Robert V. Daniels and I worked out a two-by-two scheme for classifying different schools of communism. Like many other people we had noted that the terms "left" and "right" were unsatisfactory, if only because the extremes often seemed to meet. Indeed, Arthur M. Schlesinger, Jr., had just written a book, *The Vital Center,* in which he suggested that the left-right continuum should be bent to form a circle, in which fascism and communism met at the top, while liberalism was an entire diameter removed from them.[6] In order to explain why one might think of turning a straight line into a circle, Daniels and I suggested that political positions within the Marxist movement be classified according to two criteria —one of them a horizontal left-right axis, distinguishing conservatives or reformists from radicals; the other, a vertical axis, representing the political *methods* various schools or individuals proposed to use. Borrowing terms from Lenin, we suggested that the upper end of the continuum be called "hard," and the lower end, "soft." This classification scheme is not without its usefulness, as Daniels has shown in his book, *The Conscience of the Revolution.*[7]

R. N. BERKI, in *Socialism,* has now come up with an interesting

[4] Stojanović, pp. 138 ff., 145, 148.

[5] Henryk Skolimowski, "Open Marxism and Its Consequences," in *Studies in Comparative Communism* (Los Angeles, CA), January 1971, pp. 23-28.

[6] A. M. Schlesinger, Jr., *The Vital Center,* Boston, MA, Houghton-Mifflin, 1949.

[7] R. V. Daniels, *The Conscience of the Revolution,* Cambridge, MA, Harvard University Press, 1960.

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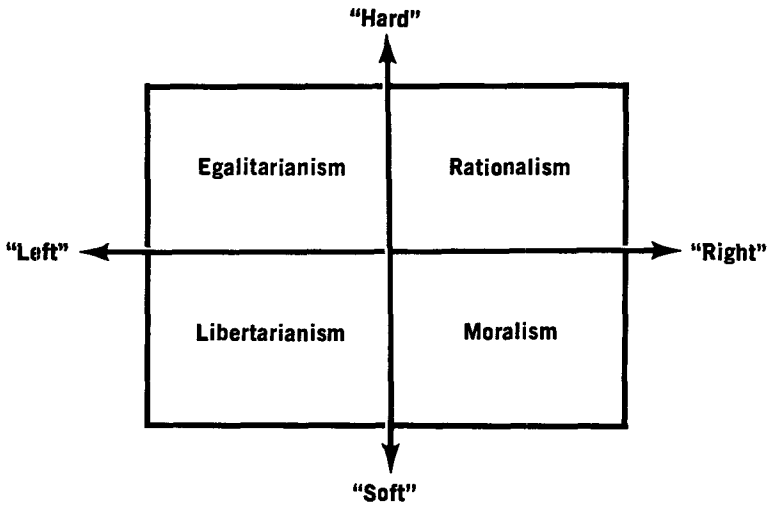
Figure 1: Marxism Schematized



two-dimensional scheme for classifying socialist schools that is, I believe, fairly congruent with the Daniels model but represents a considerable refinement of it. Berki begins with the assertion that socialism is the all-pervasive ideology of our century, that it seeks to address all of humanity and respond to all major problems of today's world. This probably is an exaggeration, and the difficulty which socialism has in addressing some specific problems, especially that of racism, may be adduced as evidence. Nonetheless, one must acknowledge that there is hardly a single current issue which *some* school of socialism or even of Marxism is not trying to address. In any event, according to Berki, contemporary socialism is the grand synthesis of all previous major ideological currents. It recaptures the component elements of Christianity, the Enlightenment, Romanticism, Jacobinism, as well as anti-Jacobin radicalism, and makes a new mix out of them. But, because of the disparate raw materials, this mix is highly unstable.

Socialism, argues Berki, has focused on four major problems of human relations, which he identifies as equality, liberty, rationality, and morality. These four preoccupations are not, he emphasizes, compatible with each other, so that any socialist focusing attention on any one of these problems is likely to neglect, explain away, or denounce as unsocialist the rival schools. Egalitarian, libertarian, rationalist, and moralist schools of socialism diverge from each other, interweave with each other, and influence each other in an intricate and ever-changing pattern.

Egalitarian socialism and libertarian socialism, Berki contends, stress utopian goals. If one superimposes his scheme on the Daniels model, egalitarian socialism, which Berki identifies with Third World revolutionary socialism, falls in the upper left quadrant (see the accompanying figure), and libertarian socialism, which he identifies with the Western Left, the Frankfurt School, and the cultural revolution of the late 1960's, in the lower left. The right half of the model represents schools of socialism that stress practical results rather than utopian goals. Rationalist socialism, with its stress on accumulation, organization, hard work, and total control, symbolizes Stalinism; and it would go in the upper right. That leaves moralist socialism, which represents social democracy for Berki, in the lower right.[8]

My own summary of the major groupings would differ slightly from that given by Berki. I would suggest that egalitarian and libertarian Marxists are more preoccupied with problems of human relations, while those in the two "right" quadrants lay primary emphasis on things and institutions. The left-right division is that between "humanists" and "political economists." Or, one might argue that the former are concerned with the subjective preconditions for socialism, the latter with the objective ones. With regard to the creation of the objective preconditions, the rationalist Marxists endorse crash programs in social engineering, while the moralists stress organic growth patterns.

Up and down, hard and soft, it seems to me, correspond roughly to the Marxism, respectively, of underdeveloped or poor as compared to advanced or affluent countries, nations, and classes. Egalitarian and rationalist schools of Marxism are ideologies of the poor, while libertarian and moralist schools correspond more to the

[8] Wolfgang Leonhard, *Die Dreispaltung des Marxismus*, Dusseldorf, Econ Verlag, 1970 (published in translation as *The Three Faces of Marxism*, New York, NY, Holt, Rinehart and Winston, 1974), distinguishes three basic strands of contemporary Marxism—the "scientific communism" of the USSR, Maoism, and the humanist Marxism of the reform communists. His classification scheme is based more on historic narrative than on conceptual divergences; and it is inferior to Berki's scheme because it excludes the libertarians of the New Left.

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needs of upper-class or Western radicalism.

This reduction of Berki's suggestive scheme to a two-by-two set of boxes is, of course, much too crude to do justice to his scheme. For one thing, the boxes should be without sides; the implication that ideological propensities exist in some finite space makes no sense. Second, the limitations of the two-dimensional medium are obvious. So many other issues enter into the making of any one interpretation of Marxism that even a three-dimensional model, shaped, say, like one of those fancy stars on top of Christmas trees, would not do justice to the complex pattern in which these many issues relate to each other. Nonetheless, when employed with sufficient caution as a mere illustrative device, the scheme has its uses.

No major figure or school fits neatly into any one of the quadrants. For instance, Soviet communism, according to Berki, combines egalitarian with rationalist tendencies, though he argues that since Lenin it has given more and more exclusive emphasis to rationalism—i.e., to accumulation, management, and control. Thus, Lenin himself might be placed near the top of the diagram, straddling the line between egalitarianism and rationalism, while Stalin would be placed much further to the right. In general, as the plethora of examples contained in Berki's book suggests, the conflicts, alliances, policies, and philosophies of various Marxist movements might be understood more readily if we saw them as the interplay of these converging and conflicting interpretations of the socialist heritage.

Despite certain shortcomings, this classification scheme seems so obvious, so self-evident, that one wonders why nobody has thought of it before. Let me test its usefulness here by applying it to a number of books which have little in common except that they all deal with various offshoots or transmutations of Stalinist ideology and practices. In short, they all deal with reform communism. Two of the volumes are by Yugoslav philosophers. One is by a recent defector from the French Communist Party. A fourth is a discussion of the contributions made by the Hungarian philosopher Georg Lukács, whom some people might be tempted to call a founding father of reform communism. Rounding out the list is a history of the beginning of the Yugoslav heresy.

TO QUOTE FROM A. Ross Johnson's study, when Yugoslavia was read out of the Cominform, the excommunication resolution of June 28, 1948 said, in part:

The Yugoslav line can only transform Yugoslavia into a bourgeois republic, lead to its loss of independence and its transformation into a colony of the imperialist countries. (p. 65)

While in retrospect some of this reads mildly prophetic, there was no basis for such a statement in 1948. As Johnson among many others has pointed out, the Yugoslav heresy developed slowly and reluctantly, and very much as an afterthought—i.e., as a post hoc rationalization of the state of excommunication in which the regime found itself, very much against its wishes and its expectations. The Yugoslav party had begun as the most loyal of all Stalinist parties; and Titoism represents the gradual and piecemeal adjustment to the party's having been read out of the fold. Each individual adjustment was controversial; and some problems raised relatively early remained forever unresolved, chief among them the controversy over the role of the League of Communists. Within the ranks of Communist parties, the Yugoslav case has remained unique. More important, one should note that few if any of the ideological adjustments made by the Yugoslavs were inspired or even informed by previous generations of critics and heretics. Instead, the changes were initiated as if in an ideological void. This is to be explained principally by the isolation from Marxist traditions which Stalinism had imposed on all its adherents.

All these generalizations can be drawn quite conveniently from Johnson's book. Unfortunately, his account breaks off precisely when the story becomes more interesting, because in time the ideological isolation of the Yugoslav Marxists was ended. Western influences—specifically, the influences of Western Marxist and socialist intellectuals on Yugoslav ideologists—intensified markedly; and partly as a result of this increasing intellectual intercourse, Yugoslav theory in the last ten to fifteen years has become something quite new.

Earlier attempts at formulating reform communism had been, so to say, in-house movements. The customary slogan of such attempts was "back to Lenin." If Berki's classification scheme makes sense—and I think it does—then we can understand this slogan as meaning an effort to revive the egalitarian principles which, in Lenin's ideology, merged with his strong rationalist preoccupations. Occasionally, reform

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communism also sought to revive elements of the Menshevik or social democratic traditions—i.e., it voiced concerns over the decline of democratic relations within the movement or, to use Berki's formulation, the loss of moralist principles.

Those Yugoslavs who in the last decade or two have cultivated intellectual discourse with Western radicals have discovered the humanist Marx—a Marx in whose writing not only moralist and egalitarian but also libertarian concerns are expressed strongly and are synthesized in a mixture which is as sophisticated as it is puzzling and obscure.

ONE PRECIPITATE of this rediscovery is Mihajlo Marković's *From Affluence to Praxis: Philosophy and Social Criticism,* a collection of lectures he gave at an American university. Like many of his colleagues, Marković has discovered the humanist Marx; and he is obviously aware how important the discovery is. Why, then, is his book such tedious reading? First, because he is now relating his discovery to his American students. That, however, is the wrong audience. Either they are on the left, in which case he is not telling them anything new—indeed, he is telling them things they might know better than he. Or else they are politically conservative or indifferent, in which case they are not likely to listen to a Yugoslav Marxist. The message is therefore bound to fall flat.

Of course, many authors really are talking to themselves even when it seems that they are addressing their readers. What is Marković telling himself in these lectures? Several things, I believe.

The first is that the Marxist movement and its ideology can be rescued from the many errors into which they have lapsed. These errors include Maoism (Berki's egalitarian socialism), which Marković dismisses with a few shrugs as obviously not worth discussing seriously; social democracy, which he tends to characterize as "economism"; the New Left; and finally "statism," a word which stands for Stalinism and which appears to him to be the most pernicious perversion of Marxism. (Curiously, while the entire book is pointed against Stalinism, little is said about the role of the superpowers in world affairs, about the economic, political, and military influence they wield and the effect this has had on contemporary society. That, together with other failings, gives this book a surprisingly dreamy, unrealistic air.)

His second message seems to be that the Yugoslav Marxists have found at least some of the formulas by which the reintegration and revival of Marxism can be achieved. And a third message I read out of his lectures is the conviction that this reinvigorated ideology is valid everywhere. I am surprised to read this in a book written by a Yugoslav. Yugoslavs more than most other Marxists ought to know that most words about human society in general are empty because each culture, each nation, must go its own road toward curing itself of inhumanities. Obviously, his perspective is far removed from Berki's recognition that the kind of socialism responding to the needs of, say, Western intellectuals may be quite different from that suitable for Third World revolutionaries, Western labor leaders, or Soviet industrial magnates.

I see this failing linked to a certain tendency Marković has to view philosophy as an independent variable, detached from politics. Orthodox Marxists would call this the idealist fallacy. Thus the various errors he criticizes are explained purely as philosophic inadequacies, not linked to any interests or to the needs of the system in which they originated. One might argue that he does not offer a Marxist analysis of why Marxism disintegrated after the death of its founders.

The book's main failing, however, is that its author has not managed to liberate himself from the dogmatism in which as a member of the communist movement he was reared. His typical approach to a philosophic problem is something like the following: First, we are confronting a question or a problem. We find that we are using confusing terminology; hence, we ourselves are confused. How can we get out of our confusion? One might think that there were several possible ways: one could throw out the vocabulary and adopt more suitable terms; one might simply use the old vocabulary with added caution; or one might examine reality so that new knowledge could lead to new understanding. Marković's solution is none of these. Instead, he urges his readers to consult Marx. In short, he seeks to solve philosophic problems by reference to holy writ.

Admittedly, Marx often yields interesting suggestions. He was a learned and profound man whose sketchy and obscure philosophic remarks point to many fruitful new avenues of thought. Unfortunately, Marković does not, in my opinion, come up to Marx's subtleties. Instead, his attempt to integrate egalitarian, moralist, and libertar-

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ian Marxism with the rationalist tradition of Stalinism falls flat. I am tempted to refer to Marković as an Aristotelian Marxist, who seeks to do nothing in excess but to steer cautiously between the extremes. All answers he gives are stated as syntheses between extremes; but the extremes usually are given in their most absurd forms, and what is declared to be a synthesis is often in fact a tepid, shallow, and frequently unconvincing middle position. It seems to me that there is a direct link between the pedestrianism of his syntheses and his inability to recognize the brittleness of the grand synthesis attempted by Marx himself.

Because dogmatic ballast encumbers him, Marković has serious trouble dealing with problems that have arisen since the death of Marx. The most obvious example of such a problem is the question whether contemporary technology represents a promise or a threat and what role technocrats might play in a more desirable society. Marković is as confused about, as he is fascinated by, these issues. Is this because Marx himself lived too early to be aware of nuclear energy and computer technology?

In dismissing this one attempt to put the Humpty Dumpty of Marxism together again as inadequate, I am suggesting that it will not convince any of the schools Berki has identified as issuing from the socialist movement—libertarians, moralists, rationalists, egalitarians. Nor does it present a synthesis appealing to non-Marxists either of the left or of the right.

SVETOZAR STOJANOVIĆ, in *Between Ideals and Reality,* addresses much the same issues as does Marković in his lectures. But there are significant differences. Stojanović is much less dogmatic, much more critical of the socialist tradition. He dwells much more on the tensions in Marx's own writings; and some of his efforts to synthesize the divergent interpretations sound somewhat more convincing — for instance, his definition of dialectical thinking as a careful avoidance of the errors of utopianism and determinism (p. 27).

Stojanović provides rich, provocative, stimulating ideas on the degeneration of revolutions and again and again returns to the theme of *rembourgeoisement.* His treatment of statism is bolder than that of Marković; he views it as a new form of class society and draws analogies between Stalinism and the feudal and clerical systems of the Middle Ages. Unlike Marković, he does not get stuck in the realm of ideas. Instead, he links ideas with practice and thus enriches his critique—for instance, in his treatment of democratic centralism. Moreover, he draws his critical ideas not only from Marx, but also from Waclaw Machajski, Roberto Michels, Bruno Rizzi, James Burnham, and other "bourgeois" social scientists. Indeed, although his chapter on bourgeois, socialist, and fascist democracy does not, in my opinion, come up to the general standard of his book, his major thesis—that socialist movements should stop criticizing bourgeois democracy and instead start learning from it (p. 107) —is remarkable. So is his courageous and provocative treatment of the means-end dialectic (also known as the problem of dirty hands) and his argument that, even under a socialist state, workers must be able to resist exploitation and therefore require the right to strike.

In short, even though Stojanović still shies away from criticizing Lenin and is enough of a Leninist to accept without question the need for a revolutionary vanguard (which he considers to be democratic), this book is a bold attempt to reinfuse libertarian, egalitarian, and moralist ideas into a Marxism grown sclerotic with rationalism. He becomes vague and unconvincing only when he discusses constructive alternatives to current socialist and capitalist systems. His proposal for an integral socialist community is offered as a solution to the problem of reconciling the demands for freedom and order; it attempts to steer clear of the extremes of what he calls "anarcho-liberalism" and market socialism. But even as a verbal solution, his proposal sounds hollow. Similarly, his notion of "socialist personalism" as a means to reconcile the need for hierarchy with that for autonomy seems little more than a phrase. These failings, however, do not detract from the value of his effort to revitalize Yugoslav Marxist theorizing.

IN CONTRAST, Roger Garaudy's *The Crisis in Communism,* a book for which the author was kicked out of the French Communist Party, is not a synthesis of anything, but must be described as an abortive rescue operation. Obviously, Garaudy felt a growing sense of embarrassment at the development of the Soviet system and at its oppressive influence on his own and other Western Communist parties. Just as obviously, he seems to have sensed the need for an updating of Marxist ideas, especially in light of the technological revolutions of our

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century and the process of decolonization that has gone on over the last few decades. Garaudy, however, appears inclined to accomplish such updating without giving up too much of the Marxist holy writ, including the strategy, tactics, and organizational pattern with which he has been familiar as a veteran communist. His book proves that either this cannot be done or that it would take a more learned and more profound person than he to achieve such a reintegration.

Garaudy demonstrates that mere indignation at having been duped is inadequate unless backed up by solid knowledge and philosophic sophistication. He has neither. In ignorance he permits himself gross inanities about such subjects as democratic politics in the United States, capitalism in general, and the social consequences of the computer revolution. His principal thesis, unsupported by any evidence whatever, deserves to be quoted:

For the first time in history the demands of economic and technological development and the demands of democracy and of human development are both proceeding in the same direction because economic and technological development increasingly postulates the full expansion of what is especially human in man, his aptitude for creation. (p. 39)

He comes up with equally naive notions about long-range development prospects in the major countries of the world, including a surprising utopian vision of a purposeful and prosperous capitalist world. As for political action programs, he appears to me to be hopelessly lost between the conviction that revolution is inevitable and the understanding that both Soviet communism and Western capitalism must be humanized by gradual reforms. In the end, his formula for solving the world's problems turns out to be a new dialogue among civilizations—among the capitalist West, the communist East, and the developing South. His book, far from contributing to the reintegration of Marxism, demonstrates the difficulty of even beginning the task.

FEW PEOPLE seem to have been as eminently qualified for the latter exercise as the philosopher and critic Georg Lukács, who is the subject of the final book under review. A towering intellect, with solid education in philosophy, sociology, and literary criticism, he acquired a good deal of experience in practical radical politics, to which strong *moral* impulses had driven him—impulses which he was to continue confessing throughout his life. *Egalitarian* considerations impelled him, during World War I, to join the Marxist movement and the Communist party. His *libertarian* side was expressed in his strong identification with the Hegelian philosophic tradition; and his *rationalism* came to the fore in his discovery of Lenin. Thus, at least on the level of theory, or more precisely on the level of vocabulary, he seemed to be striving for a synthesis of the divergent elements which, according to Berki, make up the Marxist heritage. Indeed, by focusing on literature and art, Lukács added estheticism as a possible fifth dimension to this structure. From the beginning of his adult life he strove, foremost, to bring culture to the workers, to preserve it for them. Perhaps this could be subsumed under one or several of the other four preoccupations. In any event, his contributions to Marxist esthetics have made a profound impact.

Lukács was one of the foremost pioneers of a humanist understanding of Marxism. His thoroughly Hegelian understanding of the Marxian dialect is all the more remarkable because he elaborated it long before the Economic and Philosophical Manuscripts of 1844, which make this interpretation plausible, were published. In line with his highly sophisticated understanding of Marxist philosophy, he advanced or revived concepts which every student of Marx must use today—totality, concreteness, alienation, fetishism, objectification, mediation, praxis, to name only a few.

In short, Lukács might be characterized as a revisionist in the noblest sense of the word. Yet doubts remain about the lasting impact of his accomplishment, because his attempt at reintegrating the divergent elements of Marxist philosophy, on closer examination, is seriously flawed. I think that the chief flaw is a glaring gap between his lofty words and his actual political behavior. Lukács preached high moral principles but showed no sympathy for moralist interpretations of Marxist political practices. He was conscious of the cultural tasks intellectuals had to perform for the working class; but, in contrast to Antonio Gramsci, whose theories he did not appreciate, he seems to have been concerned primarily with preserving narrowly selected elements of bourgeois culture. A self-confessed dialectician, he loathed all forms of avantgardism, even though it could easily be argued that avantgardists have been the foremost dialecticians of our age. A philosopher of freedom,

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he nonetheless felt the urge to attach himself to a strong historic force—which happened to be the Russian Revolution and its heirs.

On the level of pure theory, Lukács' synthesis at first appears impressive. In practice, however, much of it turns out to be an elaborate, sometimes labored, often talmudistic and obscure, apology for what Berki calls the rationalist interpretation of Marxism, i.e., Stalinism. By instinct a critic and a revisionist, Lukács caved in whenever he was disciplined. Indeed, one could easily argue that by its very nature his method, his interpretation of Marxism, was inadequate for a critical and radical understanding of Stalinist and post-Stalinist societies.

Moreover, while his sermons on the moral duty of the intellectual are in the end no more than complicated and obscure abstractions, his judgments of actual political events or actual works of art often are sources of keen embarrassment for his admirers. The book reviewed here, edited by G. H. R. Parkinson, was written by sympathetic left-wing authors who genuinely would like to learn from Lukács. But in their articles they take him apart rather unceremoniously, dwelling on his political conservatism or fickleness, his philosophic mistakes, the capricious manner in which he at times uses crucial terms, his esthetic stuffiness, and his sheer ignorance about many things he discusses authoritatively. Several of the contributors show that it is possible to translate his prose into clear language; but much of his writing reflects dogmatism, prejudice, or philosophic inadequacies. Very probably, one could attribute many of these failings to the excessive influence of what Berki has called the rationalist interpretation of the Marxist heritage.

While this suggests that, in the final analysis, Lukács has failed as a reform communist, one must be aware that the effects of anyone's writings are unpredictable. His own position as a life-long outsider who desperately wanted to stay within the movement is sufficiently ambiguous—and his language is so opaque, his terms so slippery—that his works could easily be used by reformers as well as conservatives within the communist camp. Probably, however, the ideological bureaucrats of managerial communism would hesitate to quote him even when he agrees with them, because his vocabulary contains too many words from the language of libertarian and egalitarian Marxism.

WORDS, ONCE UTTERED, acquire a life of their own and continue to haunt the consciousness of successive generations. Our society has precious little in common with that of John Locke or that of Adam Smith. Yet their words are part of the political culture which we pass on to successive generations as hallowed parts of our intellectual heritage. Once a year the mummy of Jeremy Bentham is rolled out of its closet so he can participate in a board meeting. Far more often we take the words of Kant, Hume, Mill, and many other ideological saints out of their shrines to display and disseminate them; and surely there are always people whose behavior is changed by the ideas they learn. The liberal heritage has not, of course, prevented the movement based upon these ideas from going in its many divergent directions, if only because the classics of liberal ideology, no less than those of Marxism, rest upon a solid foundation of ambiguities. Nonetheless, they still speak to us with persuasive voices, perhaps precisely because they are ambiguous.

Berki seems to think that in the long run the Marxist movement will manage to reintegrate itself: egalitarians, exemplified by Mao's brand of Marxism, will feel compelled to move closer to rationalism; moralists will yield to the prodding conscience of libertarian traditions. With growing affluence and political stability, the exclusive emphasis which Soviet and East European party leaders have given to rationalist considerations will mellow, so that the gentler humanist values contained in the Marxian synthesis can be accommodated.

What appears more likely to me, however, is a continuation of a dialectic in which divergences and reintegrations intermingle with each other in a continual ebb and flow—excited at times, quiescent at others. Each generation of Marxists since the death of the founders has faced similar ambiguities and dilemmas. Each generation of Marxists, having to make painful choices, has felt the need to justify them by reference to the founders' writings. Accompanied by the resultant noise of words, the process of differentiation has brought forth ever more divergent schools that have little more in common than their joint allegiance to the movement's holy writ. But the very fact of differentiation compels generation after generation of Marxist ideologists to attempt yet another reintegration.

To the extent that 20th-century political thought is generally committed to some sort of socialism, Marx has replaced Kant, Locke, and other 18th century philoso-

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phers as one of the universal points of reference. We—or if not we, then the vast majority of contemporary political theorists — haul him out of the closet of history, making his ideas the points of departure and return.

But as Locke's philosophy became increasingly less adequate as a response to problems of the industrial age, with the result that reference to him was rendered more and more academic, so one might foresee that the ideas of Marx and Engels, however timeless in their profundity, sophistication, and humaneness, will increasingly reveal their inadequacy to deal with problems of the nuclear age. Marx will then join Plato and Aristotle, St. Augustine and Machiavelli, Rousseau, Hegel, and many others, on the pedestal we reserve for the most seminal thinkers of our culture. He will be as alive to our intellectual tradition as they. But his movement will have disintegrated as irrevocably as the Humpty Dumpty of 18th-century liberalism.

Soviet Foreign Policy: Ideology and Realpolitik

By Pierre Hassner

ROBIN EDMONDS. *Soviet Foreign Policy 1962-1973: The Paradox of Super Power.* New York, NY, Oxford University Press, 1975.
W. W. KULSKI. *The Soviet Union in World Affairs: A Documented Analysis, 1964-1972.* Syracuse, NY, Syracuse University Press, 1973.
ALAIN BESANÇON. *Court traité de soviétologie à l'usage des autorités civiles, militaires et religieuses* (Short Treatise on Sovietology for Use by Civilian, Military, and Religious Authorities). Paris, Hachette, 1976.

OLD DEBATES never die. They fade away into boredom and wait to be flogged back to apparent life in a new reincarnation. Twenty years ago this magazine hosted a lively discussion on the role of ideology versus power politics in determining Soviet foreign policy. One would have thought that, in particular, Richard Lowenthal's contribution at that time, or Zbigniew Brzezinski's *Ideology and Power in Soviet Politics* published some years later, had settled the issue by demonstrating the mutual dependence and interpenetration of national interest and ideology, the diversity of dimensions and of functions of the latter, and the different levels of impact on policy, and of susceptibility to change, of ideological and power considerations.[1] But the same crude dichotomies between ideology and power have reemerged intact after a generation in current debates about détente, the significance of Soviet arms policies, Soviet attitudes toward change in Western Europe, and the source of Soviet conduct in Africa.

Western commentators are not entirely to blame for this, of course. Their renewed polemics have been fueled by more relevant debates among Soviet dissidents—notably Aleksandr Solzhenitsyn, Andrey Sakharov, and now Aleksandr Zinoviev—about the importance of ideology to the existence of the Soviet regime, and by the emergence of apparent new discrepancies between communist theory and Soviet practice or between the Kremlin leadership's international and domestic behavior patterns. The effusiveness of the 1972 Soviet-American Moscow summit gave rise to a record number of announcements concerning the demise of the cold war and of the Marxist-Leninist

[1] See Richard Lowenthal, "The Logic of One-Party Rule," in *Problems of Communism* (Washington, DC), March-April 1958, pp. 21-30. Other contributors to the discussion were R. N. Carew Hunt, Samuel L. Sharp, and J. L. H. Keep. See also Zbigniew K. Brzezinski, *Ideology and Power in Soviet Politics*, New York, NY, Praeger, 1962.

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element in Soviet policy. The crisis of détente since 1973, new data about the Soviet military effort, and increased domestic repression within the Soviet Union, on the other hand, have evoked no less extreme or uncritical pronouncements about a return to Stalinism and a supposedly immutable Communist drive for world domination.

Fortunately for observers of the debate now in progress, interpretations of foreign policies, like "secular ideologies" as opposed to metaphysical or religious doctrines, are vulnerable at least to *some* historical verification. In this respect, late reviewers reap the benefits of hindsight.

Three years after it was written, Robin Edmonds' celebration in *Soviet Foreign Policy 1962-1973* of *annus mirabilis* 1973 and of the end of the cold war evokes a nostalgic smile even more than criticism. And Alain Besançon's apocalyptic (though ambiguous) prophecies in his *Court traité de soviétologie* of a return to War Communism (complete with great purges) and cold war, or at least of a grand dilemma between these two policies and their opposites, New Economic Policy (NEP) and détente, are even harder to take seriously after one has witnessed Soviet "exercises in temporizing" at the 25th Congress of the CPSU and in the Tenth Five-Year Plan. Besançon's prophecies seem even less convincing in light of the compromises indicated by the draft of the new Soviet Constitution issued on June 4, 1977.[2]

Of the three books under review, in fact, the least obsolete is the oldest one. W. W. Kulski's *The Soviet Union in World Affairs, 1964-1972* was written in 1971-72, under the spell of the 1972 summit accords and of that year's slogan of a "pentagonal world." Its theoretical bias is not dissimilar to that of *Soviet Foreign Policy, 1962-1973,* that is, a rather crude emphasis on the prevalence of national interest over ideology. But its value is indicated by its subtitle, "A Documented Analysis." The bulk of the volume consists of materials quoted from Soviet books and scholarly journal articles, especially those written by collaborators of such specialized organizations as the Institute of World Economy and International Relations (IMEMO) and the USA-Canada Institute. More than the comments of our three Western authors, these extensive quotations offer a fascinating insight into the evolution of the increasingly important breed of Soviet analyst that stands at the crossroads between practical strategy on the one hand and ideological justification and dogma on the other.

The Edmonds and Besançon books, in contrast, are interesting less for what they tell us about the mental processes at work in the formulation of Soviet policy than for their perfect illustration of the most classic idiosyncrasies of the nationalities and professions of their respective authors. Never have the qualities and the faults of the pragmatic, anti-ideological British diplomat and those of the brilliant and systematic French intellectual been carried to more spectacular extremes. In the first case, sound common sense and attention to detail are so emphasized as to create a certain blindness to the differing logics of alien personalities, cultures, and ideologies; in the other, a fascination with precisely the "logic of the absurd"—or "supersense," to use Hannah Arendt's formula and her definition of ideology as "the logic of an idea" substituted for reality[3] —combines with the French propensity for "logical delirium" to produce a result which is constantly on the verge of falling into the same contempt for concrete individual facts and messy realities as the totalitarian doctrine which the author so brilliantly exposes.

In a way, the two approaches neatly complement one another. French logic qualified by British facts may be just what is needed to understand the policies of Stalin's bureaucratic epigones. But Edmonds wanted to present more than a mere chronology of Soviet foreign policies; and Besançon more than a shorter and more literary version of *The Origins of Totalitarianism.* Both authors wanted to provide interpretations of the dominant trends in Soviet policy. In this area, their interpretations are incompatible with one another. Further, both are probably at variance with one or more of the basic parameters which, beyond vaguely defined notions of national interest and ideology, determine Soviet foreign policy, i.e., the logic of Communist rule, the logic of nuclear weapons, and the logic of industrial society.

THE PURPOSE and the general thesis of Edmonds' book are very clearly stated in his introduction. Edmonds lays stress on what strikes him as the fundamental change which took place between 1962, when the United States and the Soviet Union were on the brink of thermonuclear war during the Cuban missile crisis, and 1973,

[2] *Pravda* (Moscow), June 4, 1977.

[3] See Hannah Arendt, *The Origins of Totalitarianism,* New York, NY, Harcourt, Brace and Co., 1951.

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when the cold war "was over." He dates the change, symbolically, from the Agreement on Prevention of Nuclear War signed during the Soviet-American Washington summit meeting of June 1973, and tests it by contrasting the events of October 1962 and those of the October 1973 Middle East crisis. He ascribes the change first of all to the USSR's accession to global strategic nuclear power during the period, and secondly to the needs of the Soviet economy. Both factors, but primarily the first, opened a gap between the theory and practice of Soviet policy, one which for a Marxist could not exist, and for a non-Marxist could not be tolerated indefinitely."

Indeed, during the crucial decade culminating in *annus mirabilis* 1973, according to Edmonds, the gap was closed by "the inexorable logic of strategic nuclear power," thanks to which "the relationship between the two superpowers had to become positive." His book is an attempt to document this evolution and to draw some conclusions about the future. While he hedges these conclusions by distinguishing three possible scenarios and by outlining a realistic list of potential variables—created, for example, by the lack of ground rules in the Middle East, the technological temptation of strategic breakthroughs, nuclear proliferation, and instability in Eastern Europe—he clearly sees the basic parameters of Soviet foreign policy noted above (i.e., the imperatives of nuclear security and the need for modern technology, both making for agreements with the West) as decisive. Ultimately, the key to the book lies in its point of departure, namely, the assertion that the motivating force of Soviet foreign policy is the pursuit of national interest, "at most only slightly distorted by the lens of Marxism-Leninism."

This postulate is quite surprising, since Edmonds recognizes the specifics of the Communist attitude toward international relations (for instance, the dynamic, conflictual, and asymmetrical character of the Soviet notion of "correlation of forces," as opposed to the Western notions of balance and stability) when he sees them. But he tends to dismiss them as inevitable rationalizations, as the following passage reveals:

In a private conversation a Soviet statesman or official appears to a non-Marxist observer to think and reason in the same manner as he does himself. But when time permits, or the occasion—such as a Party Congress—requires, the same statesman or official will speak in a different tongue. To take a concrete example, the Soviet Prime Minister may indeed have told his Japanese interlocutor in September 1968 that the invasion of Czechoslovakia in the previous month was unavoidable because the national survival of the Soviet Union was at stake—an argument derived from pure Realpolitik*—but publicly the invasion was justified by appeal to the Marxist concept of proletarian internationalism. Without such a justification the Soviet leadership would have felt embarrassed, because their mandate to rule at home and to act abroad depends on the ultimate sanction of Marxist-Lenist doctrine.* (p. 155)

This evaluation brings irresistibly to mind a quote from yet another Briton, Hugh Seton-Watson:

What 200,000 Communist party officials, from Brezhnev down to the secretaries of party branches in factories or collective farms, tell their subjects is all camouflage: the real *views of the Soviet leaders are what some nice guy from the Soviet delegation at the U.N. said over a quiet drink, or what an itinerant Midwestern scientist heard from some friendly academician in Novosibirsk.*[4]

Surely, in the case of the Czechoslovak invasion, the public explanation was more revealing than the private one. But the real point is that the opposition between the two explanations carries all the artificiality of the abstract distinction between ideology and realpolitik. While it is indeed true that the Soviet leaders are concerned with survival rather than with the proletariat, the relevant questions which must be answered ask *whose* survival and *what* threatens it. Certainly, in 1968 the Soviet leaders were concerned with the survival of their own rule over the Soviet Union and over its empire, because their legitimacy and their authority would have been threatened by the spread of an alternative form of socialism or by the return of a satellite to capitalism. They did not see the survival of their country threatened by any danger of German aggression or of military imbalance in Europe. If interpreted as "ruling-class solidarity," therefore, proletarian or socialist internationalism is a more realistic and useful formulation for explaining the Soviet invasion than vague terms like "national interest" or realpolitik.

The other criticism which can

[4] Quoted in Robert Conquest, "A New Russia? A New World?" *Foreign Affairs* (New York, NY), April 1975, p. 496.

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be made of the book has already been alluded to. With hindsight, one can see that developments related to the October 1973 war in the Middle East, which in Edmonds' view represented the consummation of détente and of the change taking place in Soviet policy, have been interpreted by most Western public opinion and by half the commentators on the war as the most striking exposure of détente and its effects as illusory. Perhaps the most reasonable interpretation is that the structure of this crisis, from the Soviet perspective, was not all that dissimilar from that of the Cuban missile crisis or of the 1967 Arab-Israeli war: first adventurism, then dialogue with the United States, and eventually retreat, once the crisis threatened to escalate. In any case, as Edmonds himself half admits in his postscript about 1974, détente has been going downhill since 1973. This may be primarily because of events in the West (e.g., the energy crisis, US restrictions on trade with countries barring free emigration, Watergate, and President Carter's campaign on human rights and change of negotiating position at SALT); but *some* weight must also be given to Soviet behavior.

In this respect the most troublesome problem for Edmonds' thesis is neither the recent increase of repression and pressure for uniformity within the Soviet empire (although the entirely predictable fact that détente abroad must bring hardening at home, at least in the short run, casts doubt on the ability of the superpowers' relationship to become a positive one), nor evidence of an increased Soviet military effort (although this effort is increasingly hard to rationalize in terms of the simple pursuit of parity). It is, rather, Moscow's increased propensity, reminiscent of Soviet behavior under Khrushchev, to get involved in remote international problem areas like Angola and Ethiopia, only now from a stronger base than Khrushchev had and with greater ability to project power. Edmonds divides his historical account into three parts: (1) Khrushchev's foreign policy, or the years of adventure; (2) the foreign policy of the collective leadership, or the years of consolidation; and (3) Brezhnev's foreign policy, or the years of negotiation. Surely, however, this last characterization is insufficient for the most recent period, which one is tempted to label the years of "hot peace," that is, of the mutually destabilizing combination of cooperation and competition. Looking exclusively at the Soviet side and comparing the most recent period with preceding ones, is it not fair to say that we are witnessing years of expansion, or, rather, of consolidated adventurism? Is not this newest phase characterized both by increased control within the empire and by increased dynamism abroad, the latter based on an increased ability to project power? This combination would transcend the classical dilemma that Soviet leaders have faced of choice between emphasis on control at home and prudence abroad, à la Stalin, and relaxation at home and adventurism abroad, à la Khrushchev.

IF THIS ANALYSIS is valid, then we might be moving closer to what appears to be the thesis of Besançon's *Court traité de soviétologie*—if there were a thesis which one could operationalize or at least pin down in specific terms. In fact, though, the book uses such broad categories and oscillates so strongly between sweeping, dogmatic assertions and commonsense qualifications, that it is very hard to discuss as a scholarly work.

Reviewing it along with two books on Soviet foreign policy over the last 10 or 15 years is in itself problematical. First, it is not a book on Soviet foreign policy, but a book on the Soviet regime in which the discussion is based on two sets of analytical alternatives—NEP versus War Communism, and détente versus cold war—of which the one applying to foreign policy is clearly less developed than the other and apparently inspired by it. Second, it is not a historical book trying to analyze and interpret the facts of a given period. It is as disdainfully free of empirical evidence as it is of scholarly apparatus, and legitimately so. Its purpose is to offer a conceptual framework, and even more to recommend a mental attitude for understanding Soviet behavior, thereby waking up the West. Besançon constantly affirms, takes back, and then reaffirms a desire to prophesy an impending great change, but the status of most of his assertions is hard to determine. One gets the feeling that they are deliberately outrageous, intended to convey the sense of a world which is in itself an outrage to common sense as well as to humanity, intended to *"épater le bourgeois"* and shock him into action or, rather, reaction.

In a sense, all Besançon has done is to take a few classic sovietological notions and force them together, superbly ignoring historical and logical differences, through the magic of a passionate style. One recognizes immediately, for example, Hannah Arendt's distinction between sense and super-

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sense and her interpretation of totalitarianism in terms of the link between ideology and terror, Moshe Lewin's periodization of the Soviet economy in terms of alternations between War Communism and NEP, and George Kennan's distinction of phases A and B in Soviet foreign policy, based on the Comintern's alternation between "sectarian" and "popular front" strategies.[5] Besançon's common, overarching theme is opposition between ideological power and civil society: War Communism and cold war characterize phases when the former tries to destroy and supplant the latter; NEP and détente, phases of relaxation, when the former to some extent allows the latter to breathe, live its own life, follow its own logic.

Out of this opposition, two divergent interpretational possibilities emerge, both of which correspond to well recognized trends, but are pushed by Besançon to rather startling extremes. The first, in the Arendt tradition, emphasizes the inner logic of ideology. Not only is Communist power not a classical tyranny or oligarchy, but it is indifferent to the interests of the leaders. It governs in the sole interest of imposing the suprareality of ideology. Not only is it inherently conservative, but, "being established in suprareality, it ipso facto escapes history. Hence it cannot be corrupted, since corruption is terrestrial. The regime is in the fix sphere. It can only disappear or perpetuate itself indefinitely." Not only is content less important than the simple imposition of dogma, but the more ideology becomes empty and the less it is believed, the more perfect it is. "Logocracy," i.e., the total opposition between the world of reality and that of ideology, is, even more than "ideocracy," the perfect incarnation of the ideological regime. Not only does the military sector have priority over the civilian one, but there is no such thing as a civilian economy. "The army is the real purpose of the Soviet system of production. From the point of view of government and of the ideological sphere to which, alone, it reports, it makes no difference whether civil society is relatively prosperous or poor." Not only does Communist power need imperial rule for its legitimation, but "if it gave up dominating the universe, it would lose its title to dominate the smallest village. It is the prisoner of an 'all or nothing' which condemns it to be nothing if it isn't called upon to be everything. . . . Just as, in terms of intensity, ideological suprareality cannot stop before having entirely absorbed the reality it contains, in terms of extension, it cannot be satisfied and will not feel secure as long as its borders don't coincide with those of the universe." If, as Raymond Aron remarked in 1950, Hannah Arendt's mind was imposing upon the totalitarian model the same kind of abstract logic as the totalitarian model imposes upon reality, then acceptance of this interpretation makes Besançon's model a caricature of a caricature.

The other possible interpretational trend is the cyclical one. This postulates that since 1917 there has been neither a continuous and successful ideological drive nor continued balance or symbiosis between power and civil society in the USSR. Rather, one has been able to observe "oscillations of a very great amplitude, at the end of each of which civil society was about to be annihilated or power to be eliminated or absorbed."

In examining this view, it is necessary first, in this reviewer's opinion, to abandon the rigid dichotomies suggested by Besançon's War Communism-NEP and cold war-détente analytical taxonomy. Although perfectly reasonable in the context of Moshe Lewin's work, they become much less so if they lead to a characterization of Stalin's great terror as simply a period of War Communism. What needs to be challenged here is the implied immutability of the two types of phases and the necessity of broad swings from one to the other. Is it not just as reasonable to assert that, since Stalin's death, the Soviet leadership has been experimenting with ways to combine both sets of policies? According to Besançon, Khrushchev, despite his ideologically revivalist dimension, instituted an excessive NEP policy. His successors are sometimes presented by Besançon as reacting to Khrushchev's extremes, sometimes as postponing policy choices, and sometimes as practicing a particularly successful NEP policy themselves.

The contradictions in this *Court traité de soviétologie* are even greater on two related points, both directly relevant to our own discussion. The first concerns the relationship which exists between domestic and foreign policy. Besançon sometimes identifies War Communism with cold war and NEP with détente; but sometimes he indicates that the paired alternatives are independent of

[5] See Arendt, op. cit.; Moshe Lewin, *Political Undercurrents in Soviet Economic Debates: From Bukharin to the Modern Reformers*, Princeton, NJ, Princeton University Press, 1974; and X (George F. Kennan), "The Sources of Soviet Conduct," *Foreign Affairs*, July 1947.

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or even at odds with each other (p. 67). In the end, Besançon promotes the hypothesis that a return to War Communism carries with it the prospect of an abandonment of détente (p. 84). All three positions — independence, tension, and positive correlation between War Communism and cold war, or between NEP and détente—are defensible, and they may even be compatible, provided the proper distinctions are made; but Besançon makes no effort to show that they are.

The second contradiction concerns the value of conceptual distinctions for predicting reality. In some passages, all claim to prediction is discarded; however, Besançon then asserts that a switch back to War Communism and to cold war is in the making. One cannot help feeling that this is the message of the book and that all the author's statements in a different vein are perfunctory and self-protective.

Besançon maintains one point firmly and consistently throughout the book: that ideology is a coherent whole which cannot be contaminated by the evolution of society. On the one hand, there can be no learning process, no erosion or *Versachlichung;* on the other hand, even in periods of NEP and détente, the rulers are able (and anxious) to preserve their freedom to effect a dramatic change of course. But these are precisely the points which Raymond Aron—whose preface is, in style and content, a perfect antidote to the book—subjects to question when he gently suggests that "the cycles follow a direction": "the Bolsheviks remain ideologues but become resigned to compromise with resistant reality," and "the historian tends to discern a rapprochement between ideology and reality, albeit always paralyzed by psychological mechanisms apparently invincible so far." Aron further challenges Besançon when he states his doubts of the plausibility of a return to real Stalinism.

A new hardening is by no means excluded, but changes in the character of the ruling oligarchy and of the domestic and international environment would give it a very different character from Leninist and Stalinist historical models. Ideology and party rule—and party efforts to impose ideology upon society—are certainly not on the way out; however, structural constraints and irreversible changes cannot help but affect them both.

THE INTERPLAY of ideology, power structure, and the realities of contemporary domestic and international society is very well documented, though mostly indirectly, in Professor W. W. Kulski's book. The second of Kulski's two introductory general chapters, on Soviet state interests, is, like most of the author's comments, permeated by an assumption of symmetry between Soviet and Western notions of state interest which is more facile, but not much more tenable, than Besançon's assumption of total asymmetry. But his first chapter, on Soviet specialists, focuses directly on one of the most intriguing and rewarding mirrors with which to look at Soviet foreign policy. Here Kulski surveys the world of the Arbatovs and Inozemtsevs, of the Orientalists and the Africanists, of the research institutes and the Central Committee staff, and of the middle-level experts and leadership advisers.

In this chapter on the general approaches and methods of Soviet specialists, and in chapters which deal with specific problems and regions (e.g., nuclear arms strategy, peaceful coexistence, the international Communist movement, the Third World) and which are based largely on the statements of various specialists, Kulski demonstrates that Soviet analyses fall neither into the category of the nonideological private statements dear to Robin Edmonds, nor into that of the impregnable wooden language of suprareality dear to Alain Besançon. By following the evolution of the thinking of the specialists, one can not only see how they interpret phenomena like nuclear weapons, the role of the military in the Third World, the demographic explosion, the scientific-technical revolution, or the crisis of capitalism in light of ideology, but also watch their perceptions gain in sophistication and realism, incorporate Western concepts and empirical data and techniques, and retranslate them back into Marxist terminology. Very often, as in the cases of nuclear war, peaceful coexistence, and "non-capitalist development," Kulski shows how the analysis is new in important respects, but artificially legitimized by distorted quotations from Lenin.

It is of course difficult to distinguish between an analytical orientation derived from ideology and a scholar's after-the-fact effort to protect himself or legitimize a concept by translating it into Marxist-Leninist language. And we can be even less precise concerning the degree of divergence between scholars on these matters, their links with factions in the leadership, and their influence on policy, as opposed to their public relations functions. With regard to the nature and development of

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Third World regimes, Kulski documents, as have others before him, divergences among experts, modifications in ideological perceptions, and influence on policy. On other subjects, though, like nuclear war, or revolution in the West, disagreement among Western experts about the existence and extent of divergences among Soviet specialists continues unabated.[6]

But here at least we are dealing with the real subject—the different levels of ideology and their evolution, their relationships to different levels of power, and the evolution of policy. The more one has contact with the Soviet literature, the more one is convinced of the necessity of distinguishing, in terms of perceptions, between the analytical and the apocalyptical aspects of ideology,[7] and, in terms of function, between its legitimizing and organizational aspects. The more also one is led to reject Edmonds' quasi-total denial of the role of ideology and Besançon's quasi-total endorsement of it, and to accept earlier analyses showing a change of ideological function from the encouragement of "permanent revolution from above" to the dogmatic legitimation of a bureaucratic and half-paralyzed conservative authoritarianism stressing economic productivism.[8]

ON THE ROLE of ideology in shaping the relations of the Soviet Union with the international environment proper, three lines of thought come to mind. They can only be indicated here, under the labels "interdependence and conflict," "process and control," and "legitimacy and power."

First, the Edmondses of the world are right, against the Besançons, in believing that a number of objective realities—like the danger of mutual destruction through nuclear weapons, the need for a minimum of consumer satisfaction in a developed society, and the interdependence of modern economies—have affected Soviet thinking and behavior about war and conflict escalation, as well as about the crisis of capitalism and the dilemmas of autarky and trade. Khrushchev's dictum "The atom bomb does not recognize the class principle" remains one of the landmarks of our century, and the decisions of the 24th CPSU Congress to seek long-range interdependence with the capitalist world similarly may go beyond the traditional Soviet search for trade and foreign investment.

On the other hand, it is wrong to think that agreement on the need for organized cooperation with the West to avoid nuclear war and to promote the development of the Soviet Union indicates Soviet conversion to a belief in the emergence of a positive relationship as the basis for a "stable structure of peace." The Besançons are right to claim that the Soviet Union still views the outside world as fundamentally hostile to the USSR, and that it believes in a dynamic historical process which in the long run must work in its favor. To turn to détente and trade, both those who see only tactical deceit and those who see a change in fundamental Soviet goals are wrong, because they focus on static and mutually exclusive definitions of ends and means, motives and strategies. The Marxist approach, with its emphasis on helping or hindering historical processes, may actually be more realistic.

Moreover, even assuming that the optimistic school is right about Soviet objectives and that most belligerent statements are intended for local consumption—that is, for protecting Communist rule in the East rather than for extending it to the West—it is wrong not to see that precisely this need for defensive hostility means permanent fragility for the very détente which the Soviet Union is trying to make irreversible. Acceptance of the risks of détente implies, in this context, a constant need to demonstrate superior power and stability. And defensive preoccupation with improving or at least maintaining the status quo in the East implies an offensive preoccupation with controlling the status quo in the West or, at least, fighting those trends which might increase Western attraction for and influence over the East.

While there is no real dilemma, then, between the offensive and the defensive, between orientations toward expansion and toward the status quo, tension does exist, particularly for the Soviet Union, between *process* and *control,* between the dangers involved in stifling necessary or favorable processes and in letting them or their inevitable negative counterparts get out of hand. One sensed in Khrushchev a confidence in dynamic processes which exposed him to overextension abroad and overrelaxation at home. Brezhnev has recognized the needs of in-

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[6] On this, see Joan Barth Urban, "Contemporary Soviet Perspectives on Revolution in the West," *Orbis* (Philadelphia, PA), Winter 1976.

[7] See Marshall Shulman, "Some Conceptual Elements of East-West Relations in Europe," in Nils Andrén and Karl E. Birnbaum, Eds., *Beyond Détente: Prospects for East-West Cooperation and Security in Europe,* Leiden, A. W. Sijthoff, 1976.

[8] See, in particular, Richard Lowenthal, "Development versus Utopia in Communist Policy," in Chalmers Johnson, Ed., *Change in Communist Systems,* Stanford, CA, Stanford University Press, 1970.

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creasing Soviet power abroad and increasing the viability of Communist societies at home, but has purchased these goals with much greater emphasis on control and cohesion. The question which must be asked at present is whether forces outside Brezhnev's control are not confronting him—or his successors—with Khrushchevian dilemmas. On the one hand, new opportunities abroad for the use of Soviet military pressure or indirect intervention, or for progress by Western Communist parties, may be exploited in conditions much better than those of Khrushchev's era, even though they still carry dangers of overextension, or of either hostile reaction from the West or a no less dangerous polycentrism from Communist allies. On the other hand, disappointments in economic and technological aid from the West and in the performance of Communist economies clearly signal the failure, at least for the time being, of the Communist regimes' attempt to substitute "consumerism plus foreign trade and technology" for domestic reform. Under such conditions, the Soviet leadership is faced with the dilemma of deciding whether to go forward by becoming involved on a regular, "responsible," and reciprocal basis in the capitalist system and by resuming the domestic decentralizing reforms which are the concommitants of such a policy, or to retrench, accepting the frustration of consumers and the need for increased repression in the Soviet Union and in Eastern Europe.

Just how conflicting needs and possible options will be handled by the Soviet leadership is unpredictable, but it is unlikely that any shifts in priorities which are decided upon will violate the parameters dictated by current Soviet views concerning the USSR's empire and the overall international situation. In this regard, the present reviewer would contend that the primary factor which needs to be borne in mind is that the Soviet Union is an imperial party-state. It is likely that the first concern of the leadership is to maintain as much as possible its own authority within the party, the authority of the party within the Soviet Union, and that of both the party and the Soviet Union in Eastern Europe. For this, both ideology as a source of legitimacy and the development or viability of the respective societies as a source of popular acceptance are necessary. Hence the maintenance of dogmatic ritual in the Soviet Union and Eastern Europe, the attribution of a leading role in the world Communist movement to the USSR, the reintegration of the ideological heretics China, Yugoslavia, and Albania, and the avoidance of the twin dangers of the abandonment of Leninist ideology by Western Communist parties, leading either to their absorption by bourgeois societies or to their emergence as a new ideological focus, are necessary goals. So also is the avoidance of economic disaster and the supplementation of ideological legitimacy with a degree of consumer satisfaction, especially should revolt threaten as it did in Eastern Europe in 1956 and 1970.

These two requirements may clash. Economic reform can threaten party control, and international economic interdependence can threaten ideological purity. The exact balance required will have to be determined pragmatically. Nevertheless, the decisive judgmental considerations are likely to be those of control from above and of power in the traditional sense, which, if need be, carry with them the ultimate substitutes for both ideological enthusiasm and economic satisfaction, namely, nationalism and repression. These conclusions would seem to set severe limits not only on any offensive strategy of promoting revolution with parties or in societies which the Soviets cannot control, but also on any conciliatory strategy of making decisive economic reforms or political concessions for the sake of economic cooperation and interdependence.

In conclusion, one need only add that the priority of control, and hence of prudent rigidity, is likely to be especially marked in a period of succession. Whatever the disagreements on long-range historical trends, both this short-term prediction and the more general notion that the primary consideration of the ruling group in the Kremlin is necessarily the conservation of its own power, should provide at least *some* common ground for sovietologists belatedly defending the realpolitik and ideological interpretations.

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East-West Economic Relations

By Morris Bornstein

FRANKLYN D. HOLZMAN. *International Trade Under Communism —Politics and Economics.* New York, NY, Basic Books, 1976.
CONNIE M. FRIESEN. *The Political Economy of East-West Trade.* New York, NY, Praeger Publishers, 1976.
JOHN P. HARDT, Ed. *Tariff, Legal and Credit Constraints on East-West Commercial Relations.* Ottawa, Canada, Carleton University, Institute of Soviet and East European Studies, 1975.
IANCU SPIGLER. *Direct Western Investment in East Europe.* Oxford, England, Holdan Books Ltd., 1975.

ONE OF THE MOST striking developments in the economies of the Soviet Union and its six East European partners in the Council for Mutual Economic Assistance (CMEA) in recent years has been the dramatic expansion of relations with the developed capitalist market economies. The total trade of these seven Communist states with the 15 leading Western industrialized nations has more than doubled, from US$17.4 billion in 1972 to US$45.5 billion in 1976. However, within these totals, the imports from the West by the seven European members of CMEA have increased faster, from US$9.4 billion to US$26.1 billion, than have their exports to the West, which climbed from US$8.0 billion to US$19.4 billion.[1] To finance the resulting large trade deficits, these countries have borrowed heavily in the West. It is estimated that at the end of 1976 the USSR's debt to the West was US$14 billion, while the total debt of the six East European members of CMEA was US$25 billion — compared with US$4.5 billion and US$8.5 billion, respectively, at the end of 1973.[2]

This rapid growth of economic relations has taken many forms, including contracts with Western firms for "turnkey" projects involving the construction of complete plants in the USSR and Eastern Europe, a formal agreement for Soviet grain purchases from the United States, and active participation of Communist borrowers in Western capital markets. In the West, these developments have focused government, business, and academic attention on a number of issues, including the mechanisms employed by centrally planned economies (CPE's) for conducting foreign trade, the transfer of technology from West to East, the role of Western multinational corporations in the development and trade of Communist countries, and the credit policies of Western private and governmental banks.

This interest has generated a burgeoning literature on the economics and politics of East-West economic relations, which includes the four books reviewed here. While differing in scope, focus, and intended audience, all four illuminate important problems affecting the evolution of East-West economic ties. Franklyn D. Holzman's volume is the most ambitious of them, undertaking in a little over 200 pages to explain how Communist countries conduct foreign trade and to examine relations between the USSR and the East European countries in CMEA, East-West relations, and the trade and aid links of CMEA countries with non-Communist developing nations. The study by Connie M. Friesen is more narrowly focused on domestic and transnational forces affecting the context of Soviet-US "détente" in which East-West trade has developed in the 1970's. The volume edited by John P. Hardt contains four papers on various technical aspects of East-West trade, which were presented at an International Slavic Conference held in Banff, Canada, in 1974. Finally, Iancu Spigler provides a detailed an-

[1] Data supplied to the author in July 1977 by the Bureau of East-West Trade of the US Department of Commerce.

[2] *International Economic Report of the President, January 1977,* Washington, DC, US Government Printing Office, 1977, pp. 64-65.

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alysis of one specific form of East-West "industrial cooperation" — foreign equity participation in joint corporations in East European countries.

AS THE REVIEWED volumes make clear, there have been various obstacles to "normal" trade relations between East and West. A number of these impediments appear to be inherent in the very institutions and practices of the centrally planned economies.

In the CPE's, foreign trade is conducted as a monopoly by the Ministry of Foreign Trade through subordinate foreign trade organizations (FTO's) specialized according to product or geographic area, or both. The ministry tries if possible to arrange exports and imports simultaneously through what amounts to a barter approach within the framework of bilateral trade agreements. Because exports are sold by the FTO's, rather than by the actual producing enterprises, the latter have little interest in improving quality to meet world market standards and thereby to expand exports. In turn, imports are sold to the FTO's, rather than to the actual user (to whom foreign suppliers do not usually have access)—making it more time-consuming and expensive for the seller to negotiate contracts.

In a CPE, internal prices are largely irrelevant for international trade. They are determined administratively (and revised infrequently) on a cost-plus-profit basis which does not reflect relative scarcity and fails to balance supply and demand, especially in the case of producer goods. Exchange rates are also set arbitrarily and do not reflect relative price levels and the purchasing power of currencies. Thus, complicated calculations of "foreign trade effectiveness" are of little help in finding a sensible pattern of exports and imports.

In turn, the currencies of CPE's are inconvertible. This is true in two distinct senses. First, like the currencies of a number of market economies, they are not freely convertible into *foreign currency*. Second, a CPE's currency cannot be freely converted even into the *goods of the given CPE*—because shortages exist when prices are not at market-clearing levels, because producer goods (and some consumer goods) are administratively allocated, and because the foreign trade monopoly controls exports. Thus, revaluations and devaluations of CPE currencies have no effect on trade flows: trade with the West is conducted at world market prices in dollars, pounds, yen, etc., while trade inside CMEA is conducted in the strictly nominal "valuta ruble" unit of account, at a negotiated approximation of world market prices.

Finally, in a CPE, tariffs do not affect domestic selling prices and are thus irrelevant in controlling imports, which are instead determined by the implicit quantitative restrictions embodied in the foreign trade plan. Therefore, in trade negotiations with market economies (where tariff reductions do affect trade flows through changes in prices and quantities), CPE's must offer different concessions, such as specific commitments to increase imports.

BEYOND THESE systemic constraints on the expansion of East-West economic ties, there is also the problem of the nature of the "economic integration" of the USSR and Eastern Europe in CMEA. Western economic theory commonly evaluates economic integration in terms of the relative importance of "trade creation" and "trade diversion" effects. "Trade creation" occurs when members of an economic bloc trade among themselves in goods previously produced domestically, without reducing trade with countries outside the given bloc. In contrast, "trade diversion" occurs when trade is shifted from outside to member countries. As Holzman shows, in the case of the CMEA bloc, "trade diversion" greatly outweighed "trade creation," because members' trade was concentrated within the bloc, at the expense of trade on the world market. As the dominant member of CMEA, the USSR has exerted great economic and political influence over the East European countries. However, the latter—notably, Romania—have resisted Soviet efforts to give CMEA supranational power over plan coordination and production specialization.

The level and content of East-West economic relations have also been restrained by decisions of Western governments to curb "strategic" exports to Communist countries, to curtail imports from them by unfavorable tariff treatment and quantitative restrictions, and to limit credits to them. One should note, however, that relaxation of these restrictions began as early as 1954-55 and has proceeded steadily thereafter, first in Western Europe and subsequently in the United States.

Thomas Wolf's essay in the Hardt volume reviews a number of empirical attempts to measure the extent to which such Western restrictions actually depressed East-West trade, and thus to estimate the possible stimulating effects of their elimination. He finds that these studies confirm

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that Western restrictions did significantly curtail exports to, and imports from, CMEA countries. But Wolf stresses that these calculations can be regarded as only very approximate estimates, because of severe methodological and data problems, including inadequate disaggregation by countries and by products and failure to test critical though often implicit assumptions. For example, some estimates of trade foregone due to restrictions use a "market-share approach" which assumes that, if a particular East European country has a certain share of a West European import market in which it possesses most-favored-nation (MFN) tariff treatment, the East European country would capture the same share of the US import market if it obtained MFN treatment from the United States. This is usually an unrealistic assumption, because market shares depend on many other factors in addition to MFN treatment.

ALL FOUR BOOKS examine the reasons for the surge of Soviet and East European interest in expanding East-West economic relations in the last decade. A key factor was the slowdown in economic growth in the CMEA area which began in the late 1950's or early 1960's (depending on the country) and which led to a search for ways to bolster economic performance. Policy-makers recognized the need to shift from an "extensive" growth strategy, requiring rapid increases in the non-agricultural labor force and high rates of investment, to an "intensive" approach which stressed increases in factor productivity through improved incentives, better management, and faster technological progress.

An initial approach to the problem was the economic reform movement of the mid-1960's, which sought to increase efficiency through two kinds of decentralization. The first of these, administrative decentralization, involved partial devolution of authority over selected decisions from higher to lower tiers within the administrative hierarchy—for instance, from the ministry to the intermediate "association" (which controls a number of enterprises). The second change, economic decentralization, aimed to give domestic and international market forces a greater role in determining the composition of output, the allocation of resources, and even the distribution of income. But, fearing a loss of control over the economy and society, CMEA regimes proved in practice unwilling to go very far toward either type of decentralization, and only the Hungarian reform was actually implemented to a significant, if attenuated, degree.[3]

Instead, the USSR and the countries of Eastern Europe have turned to East-West economic relations as a politically safer and economically more effective way to modernize their economies, to raise sagging growth rates, and to meet some of the demands of their populations for consumer goods and services. These countries hope to obtain from the West three keys to improved economic performance. The first is sophisticated, up-to-date machinery and equipment not available in the CMEA region. The second is advanced technology, including not only production processes covered by licenses but also entire turnkey plants constructed by foreign firms. The third, and perhaps most important, is credit, which is needed to cover two "gaps." One is the "foreign exchange gap"—a shortage of hard currency to pay for imports from the West. The other is the "domestic savings gap," which exists because the strained Eastern economies lack the capital and labor resources for these additional investment projects (even if they had the technical know-how to carry them out).

In the case of the Soviet Union, a further impetus for interest in expanding East-West economic relations has been the realization that in the last decade Soviet trade with Eastern Europe has on balance been *economically* disadvantageous for the USSR, even if it has been useful as a mechanism for exercising *political* control of the area. Intra-CMEA trade has long been conducted at negotiated prices based on an average of world market prices during an earlier reference period, such as the preceding five years,[4] and during the last decade, world market prices have been rising much faster for raw materials and fuels than for manufactured goods.

Because these changes in world market prices have been reflected incompletely and with a lag in intra-CMEA trade, the USSR has been supplying Eastern Europe raw materials and fuels at comparatively low prices, in return for outdated machinery and poor quality manufactures. If the

[3] For a recent comprehensive appraisal, see this reviewer's "Economic Reform in Eastern Europe," in US Congress, Joint Economic Committee, *East European Economies Post-Helsinki*, Washington, DC, US Government Printing Office, 1977, pp. 102-34.

[4] For details, see Edward A. Hewett, *Foreign Trade Prices in the Council for Mutual Economic Assistance*, Cambridge, England, Cambridge University Press, 1974.

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USSR sold these raw materials to the West, it could command higher prices and payment in convertible currency which could be used to buy advanced Western machinery and technology.

Furthermore, it is worth noting that the burden to the USSR of this form of subsidization of Eastern Europe is growing, for two reasons. The real cost of Soviet production of raw materials and fuels is increasing as additional output must be obtained from less rich or more remote deposits, and rising Soviet domestic requirements leave less of total output available for export to Eastern Europe or the West.

LOOKING TO an expansion of East-West trade for help in solving their economic problems, the Soviet Union and the countries of Eastern Europe are constrained by their limited capability to increase exports to hard-currency areas. First, their strained economies have few surpluses available for export outside the CMEA area. Second, the low quality of most of their manufactured goods makes them noncompetitive on the world market. Finally, exports of some goods are limited by Western tariffs, quotas, and other trade restrictions.

Consequently, the availability of Western credits becomes a critical factor. This in turn involves Western assessments of the creditworthiness of the Communist borrowers. As Lawrence J. Brainard notes in his contribution to the Hardt volume,

Lending is an art, not a science. A most detailed analysis of a company's balance sheet or a country's balance of payments can provide much valuable information, but when a loan decision is made, it is the future ability and willingness of the borrower to meet debt obligations that must be forecast. In making this judgment a banker must weigh relevant economic, political and personal data on the borrower. (p. 7)

Debt-servicing ability is often measured by the debt-service ratio, calculated by dividing scheduled repayments of principal and interest by gross earnings of foreign currencies (exports plus invisible earnings, such as tourist outlays). However, such calculations are far from decisive. More important is the extent to which the borrowing country uses the credits to expand its convertible-currency export potential (or to reduce its imports). As the debt-service ratios of the USSR and Eastern Europe rise, Western lending institutions will demand more information not only about the borrowing country's balance of payments, indebtedness, and foreign exchange and gold reserves, but also about how the credit will be used—in particular, about its potential effect on hard-currency trade. Communist governments will thus be pressed to make available information hitherto considered secret.

In order to circumvent convertible-currency shortages and constraints on obtaining new private and government credits, CMEA countries have shown considerable interest in various forms of "industrial cooperation"—establishing a long-term contractual relationship in which a Western multinational firm contributes some combination of technology, machinery, materials, management services, and assistance in marketing the output in the West. One form of these arrangements is the "joint venture," which involves foreign equity participation in a special joint enterprise established under the Communist country's laws. So far, only Romania and Hungary, among CMEA members, have followed Yugoslavia's example in authorizing such ventures. Iancu Spigler examines recent Romanian and Hungarian legislation in an attempt to develop a "theory of the joint corporation" in Eastern Europe—covering its organization, production, investment, management, pricing, financing, taxation, and exports. His detailed explanation of possible implications, complications, and pitfalls contains many cautions for Western firms considering joint venture proposals.

Such experiments with the creation of joint corporations illustrate the continuing effort of the CMEA states to work out ways of overcoming some of the institutional, financial, and technical impediments to East-West economic links. However, although these and other innovations may show successful results, the future development of East-West economic relations will depend more fundamentally on the decisions which the countries in each group—and especially the respective superpowers, the USSR and the US—take regarding such critical issues as regional integration, transfer of technology, and credits.

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Socialist Law and the Soviet Model

By Peter H. Juviler

F. J. M. FELDBRUGGE, Ed. *Encyclopedia of Soviet Law.* Leiden, A. W. Sijthoff, 1973, 2 Vols.
DOMINIK LASOK, Ed. *Polish Civil Law.* Leiden, A. W. Sijthoff, 1973-75, 4 Vols.

LAW IN THE Soviet Union has gained considerable scope and status since the early 1930's. During those stormy years of Stalin's "revolution from above" an influential coterie of Marxist jurists busily set about undermining law and the legal profession, which they viewed as merely remnants of the capitalist stage of history. The precarious state of the law was evident to the first American student at the Moscow Law Institute. In 1934 he found the Institute dilapidated and with "a schedule which changed so often without notice that it became a joke, and no one ever knew from one semester to the next what would be the subjects which would be taught."

Three years later the American student, on returning to the spruced-up Institute for his final year, discovered regularized classroom schedules and a younger student body which regarded law not as a stopgap but as a permanent vocation. Those "legal nihilists" who earlier had proclaimed the "withering away" of law and legal education now were denounced as "wreckers" and swept away in the blood purges. Soviet law was legitimized as a new, "socialist" type of law.[1]

Although reprieved by Stalin's call for "the stability of law," the legal profession still worked under the burden of what Harold Berman has called the "duality of law and terror." Intimidated Soviet jurists commented and adjudicated in the shadow of Russia's long history of extralegal terror and prison camps, and some jurists themselves fell victim.[2]

Khrushchev, by 1956 the most powerful of Stalin's successors, repudiated the "mass repressions" of the past. Nonetheless, Khrushchev's expressions of contempt for lawyers and his plans to supplant much of the professional judiciary with volunteer public peacekeeping—advanced in 1959 as part of his program for "communist popular self-administration"—caused renewed unease among Soviet jurists and began a new chapter in Soviet extralegal history. This chapter, however, proved quite short. Strong opposition and reports of failures caused Khrushchev to limit the popularization of crime prevention to a much narrower range of public participation, although the original objective has never been entirely abandoned.[3]

From the muffled debate over the role of state and law in the period of the transition to communism has emerged the official formulation of Khrushchev's successors. This declares that Soviet law *will* eventually wither away, but that it will do so only under communism, the future of plenty and classless equality, and only when Soviet citizens have fully internalized the norms of communist morality, which are said to be embodied in the law. Until then, one may anticipate the "strengthening of socialist legality and consolidation of the socialist legal order."[4] Thus, Soviet law has developed from a doomed bourgeois relic and temporary

[1] John N. Hazard, letter of Sept. 6, 1937, in Donald D. Barry et al., Eds., *Contemporary Soviet Law: Essays in Honor of John N. Hazard*, The Hague, Martinus Nijhoff, 1974, pp. xxv-xxvi.

[2] See Harold J. Berman, *Justice in the U.S.S.R.: An Interpretation of Soviet Law*, rev. ed., New York, NY, Vintage, 1963, pp. 8, 43-65; and Robert Sharlet, "Gulag: A Chronicle of Soviet Extralegal History," *Problems of Communism* (Washington, DC), May-June 1974, pp. 65-71.

[3] See the reviewer's *Revolutionary Law and Order: Politics and Social Change in the USSR*, New York, NY, The Free Press, 1976, pp. 74-82.

[4] N.G. Aleksandrov, *Teoriya gosudarstva i prava* (The Theory of State and Law), 2nd ed., Moscow, Yuridicheskaya literatura, 1974, pp. 652-54.

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necessary evil into a virtually permanent means of governance and a model for the legal systems of other communist countries.

THE INSTITUTIONALIZED state of Soviet law is amply documented in the *Encyclopedia of Soviet Law (ESL)*, which conveys, in greater breadth and detail than do Soviet encyclopedias, the pervasive role of the law as a means of regulation and control. With the aid of an analytical chart of contents, *ESL* sketches the anatomy of Soviet law, under subheadings ranging from "Abortions," "Conservation," and the "Press," to "Stray Cattle," "Samizdat," "Speculation," "Young Employees," and "Zoning." *ESL* provides about 125 entries on crime, crime prevention, justice, and punishment. More than 150 entries treat civil, family, and labor law, which together cover the noncriminal actions that constitute 85 percent of the case load in Soviet courts. In addition, dozens of entries discuss the structure and evolution of the Soviet legal system, legal education, the legal profession, socialist legality, and jurisprudence. *ESL* is the work of 43 specialists from 12 countries, including 15 contributors from the United States.

Polish Civil Law (PCL) is a much more specialized source than is *ESL*, but also a more original research contribution. Particularly valuable are its three volumes of commentary, history, and comparisons with the Soviet model of law governing property and obligations. Volume IV contains a translation of the Polish Civil Code.

Both volumes are products of the Documentation Office for East European Law at the University of Leiden (*PCL* is No. 18 in its series *Law in Eastern Europe*). This center alone now has published more factual material on Soviet law than the entire total of books and translations available to that first American student of Soviet law before World War II.[5]

BUT THE LEIDEN materials are only a part of the recent outpouring of writings on Soviet law. The importance of the law for Soviet governance and foreign relations and its influence on the development of the legal systems in other Communist countries have recently prompted a phenomenal growth of the community of researchers on Soviet law. "No other legal system," it has been said, "enjoys so prompt and extensive a coverage in English language media as the Soviet legal system."[6] This upsurge in research also owes something to the increased attention of Soviet area specialists whose studies benefit from and, in turn, hopefully will contribute to the further explorations of lawyers, political scientists, and other functional specialists. Thus, besides focusing on the practical detail and application of Soviet law and its comparative aspects, current law-related research is pursuing more general insights into the nature of the Soviet political system and the society it rules. Using the material in *ESL* as a base, we will now consider these three lines of research in greater depth.

Practical specifics of Soviet law. ESL is a versatile reference work on how to buy a house or cooperative apartment, get a divorce, appeal a job dismissal, or apply to emigrate. A list of statutes and entries on bibliography and periodicals provide ways of supplementing and updating *ESL;* but unfortunately only a few entries have short bibliographies of further readings, and there is no index. Diplomats and people engaged in commerce will find some 40 relevant *ESL* entries which should be much in demand, given the present East-West interchanges between lawyers about trade and given the striking increase in Soviet trade with the West from 19 percent of total Soviet foreign trade in 1965 to 31 percent in 1975.[7] "Alien property" explains the rules of inheritance from a Soviet citizen.

ESL managed to include only a brief, last-minute note on the recent Soviet adherence (May 27, 1973) to the Universal Copyright Convention. The entry has no practical value, but it does take account of the political side of copyright and the widespread belief that "the Soviet Union's adherence to the Geneva Convention is motivated not so much by jurisprudential or economic considerations, but rather by the desire to extend more effectively its control over the flow of uncensored publications" (p. 738). If this is so, then Soviet adherence to the copyright convention is only the latest in a series of much stronger and more direct efforts to curb dissent, a point underscored by excellent *ESL* entries on rights, freedoms, and political crimes.

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[5] See Philip Grierson, *Books on Soviet Russia 1917-1942*, London, Methuen, 1943, pp. 118-20. The list on "The Secret Police, Concentration Camps and the Great Trials" was much longer.

[6] William E. Butler, "Checklist of Soviet Normative Acts Available in English Translation," *The American Journal of Comparative Law* (Berkeley, CA), Vol. 23, 1975, p. 530. On research in progress and completed, see *Bulletin on Current Research in Soviet and East European Law* (Liberty, MO).

[7] Steven Rosefielde, "The Changing Pattern of Soviet Trade," *Current History* (Philadelphia, PA), October 1975, p. 134.

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Where *ESL* and research on Soviet law generally are weakest is in the "twilight zone" of quasi-legality and extralegality which lies beyond the procedural codes governing correctional institutions, the procuracy, and the rights of defense lawyers and defendants. In political cases usually it is not appeals to socialist legality but political pressures which, if anything, work for dissident defendants and prisoners.[8] To be sure, political cases are but a fraction of the roughly one million criminal and seven million total annual court cases.[9] On the other hand, political cases never end in acquittals. And thousands of dissenters are repressed in ways other than by criminal conviction. Of course, illegalities are frequent in political cases of most countries, Communist and non-Communist alike. What one does not get from *ESL,* however, is a sense of the particular form the irregularities take in the USSR. No description of a legal system should be considered complete without mention of the suspension of the law as well as its application.

Comparative aspects of Soviet law. East-West legal comparisons are scattered and rudimentary and have not gone much beyond older work such as Wolfgang Friedmann's *Law in a Changing Society,* a study of modern legal interventionism,[10] and Otto Kirchheimer's *Political Justice,* a study of modern political interventionism in the law.[11] The comparison of Communist legal systems, however, is more advanced, a result possibly encouraged by the fact that Stalin, like Napoleon, exported his own legal system to nations under his sway.[12] But the relatively advanced status of comparative Communist law finds little reflection in *ESL.* (The entry "People's Democracies," for example, is limited to a political and constitutional study which is excellent description of the stages of development of Communist rule but lacks treatment of the influence of the Soviet model.)

In an effort to establish a more explicit comparative framework, John N. Hazard has proposed a "common core" of variables which give shape to Communist law or, as he calls it, Marxian socialist law: the leading role of the Communist party in inspiring, drafting, and applying the law; the role of law in a cultural revolution; and the legal protection of socialist property and economic relations in a planned socialist economy.[13] Let us look briefly at each.

1) While information is fragmentary on the role of the Communist Party in the Soviet legal system (a subject *ESL* ignores), some working hypotheses nevertheless emerge from research:

- Party guidance *(rukovodstvo)* of "law reform and the strengthening of socialist legality"—that is, obedience to the law by both ordinary citizens and officials—and of law enforcement in particular is a bedrock principle that is frequently proclaimed in Soviet texts and that is fully in accord with the Marxist-Leninist position that law reflects politics and, in a contemporary socialist society, the party's policy.
- In more specific terms, party guidance of the Soviet legal system means setting general policy for writing and applying the law and for coordinating anti-crime campaigns at the grass roots on a daily basis. In particular, it means "not replacing the courts, procuracy, police," but evaluating the results of their work and general practices from a "party-political point of view."[14] In addition, the practical authority of the *nomenklatura*—the lists of jobs requiring the party's approval for appointment—as well as more direct participation in recruitment bolster the party's guidance of law-making and law application.

Still, within the context of these political restraints, judges apparently decide independently all but political cases. Higher courts and the procuracy do strive for clarification of the law and the correction of illegalities permitted in the lower courts in nonpolitical cases. This may be verified by reading the growing body of

[8] Valery Chalidze, *To Defend These Rights: Human Rights in the Soviet Union,* New York, NY, Random House, 1974; Telford Taylor, *Courts of Terror: Soviet Criminal Justice and Jewish Emigration,* New York, Knopf, 1976.

[9] These figures are based on the reviewer's very rough estimate of 800-900,000 Soviet criminal convictions annually and of the types of crimes resulting in convictions, plus the estimates of the numbers of prisoners convicted of crimes for political reasons (around 1 or 2 percent of the total Soviet prison population) in Amnesty International, *Prisoners of Conscience in the USSR: Their Treatment and Conditions,* London, Amnesty International Publications, 1975, pp. 51-53.

[10] W. Friedmann, *Law in a Changing Society,* Berkeley, CA, University of California Press, 1959.

[11] Otto Kirchheimer, *Political Justice: The Use of Legal Procedures for Political Ends,* Princeton, NJ, Princeton Univ. Press, 1961.

[12] See, for example, the entry by the late Z. Szirmai in *PCL,* Vol. 1, p. xi.

[13] See John N. Hazard, *Communists and Their Law,* Chicago, IL, University of Chicago Press, 1969, pp. 7, 27, 33, 66, 69-143; and Aleksandrov, *op. cit.,* pp. 437-38, 652-53.

[14] V. M. Semenov, *Sud i pravosudiye v SSSR* (The Court and Justice in the USSR), Moscow, Yuridicheskaya literatura, 1976, pp. 34-38. For the most recent authoritative treatment of the party's role in guidance of the legal system, see S. E. Zhilinskiy, *Rol' KPSS v ukreplenii zakonnosti na sovremennom etape* (The Role of the CPSU in Strengthening Legality in the Contemporary Period), Moscow, Mysl', 1977. On party work in crime prevention and in political cases, see Juviler, op. cit., pp. 99-100, 116-17, 119.

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Soviet case materials published in *Bulletins* of the various supreme courts of the USSR and union republics and in the journal of the procuracy, *Sotsialisticheskaya zakonnost'* (Socialist Legality).[15]

• Both the acceleration of long overdue legal reforms and the frankness of published debate on reform issues stand out as the major post-Stalin changes in Soviet lawmaking. A corollary to the growth of debate has been the extensive reliance by the party and the government on professional specialists — researchers and "practical workers"—in the initiation, formulation, and drafting of reform laws and legal codes.

Of course, Khrushchev did intervene to hold up family law reforms just short of publication for discussion and passage in 1964. But compromise reforms were achieved after his fall, in 1965 and again in 1968. Often, however, party intervention is less definitive or verifiable. Field work and close textual studies support a tentative conclusion that the party leadership gives general permission for reforms to be initiated and defines, or at least approves, the eventual compromises between reformers and conservatives, which are worked out in the welter of nationwide consultations, press debates, and the drafting sessions of the very active legislative commissions, subcommittees, and working groups.[16]

• Party intervention in the Soviet legal system (as in any legal system when it happens) can mean sudden, sharp incursions against personal rights—for example, Khrushchev's confiscatory laws against houses and cars improperly acquired and against the collective farm household economy, Brezhnev's sharp escalation of judicial repression against cultural dissidents, and the massive anti-crime crackdowns under both leaders.[17] Nevertheless, there is accumulating evidence of a trend toward greater consistency and stability of law.

2) Communist law has also been used as a means of promoting and then preserving a revolution in cultural attitudes and behavior. Religion, for example, enjoys vastly different limits of freedom under the law—perhaps the most in Poland and the least in the Soviet Union. Soviet policy-makers find their laws on the separation of church and state an ample basis for attacks on religious upbringing and nonconformist sects, and deprivation of religious believers' parental rights remains the most onerous Soviet attack on family ties for political reasons.

Otherwise, in Soviet law as in Communist law generally, a relatively progressive secular compromise has been reached between state interests and public opinion. Soviet family law has shifted recently toward greater ease of divorce, especially when by consent or in the absence of minor children, and there is greater protection for women and extramarital children in family relations. Moreover, nonparty initiatives and influences played a major role in shaping the family law reforms.[18]

Nevertheless, the evolution of Communist law does not progress in a single direction, even outside areas of political justice. Thus, the state has gained a greater voice recently, while the public's has been muted, following what *ESL* rightly discerns to be a shift toward more reliance on the professional agencies of law enforcement. Yet, in 1977, the state moved to increase the use of penalties other than confinement for lesser criminal offenses and to resuscitate once again the comrades' courts.[19]

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[15] See John N. Hazard, William E. Butler, and Peter B. Maggs, Eds., *The Soviet Legal System: Contemporary Documentation and Historical Commentary*, 3rd ed., Dobbs Ferry, NY, Oceana, 1977.

[16] Juviler, op. cit., and the reviewer's chapter "Whom the Law Has Joined: Conjugal Ties in Soviet Law" in Donald D. Barry, George Ginsburgs, and Peter B. Maggs, Eds., *The Citizen and the State in Soviet Law*, Leiden, A.W. Sijthoff, 1977. See also the painstaking and important case study by John Gorgone, "Soviet Jurists in the Legislative Arena: The Reform of Criminal Procedure, 1956-1958," *Soviet Union* (Pittsburgh, PA), Vol. 3, Part 1, 1976, pp. 1-35.

[17] Hiroshi Kimura, "Personal Property in the Soviet Union, With Particular Emphasis on the Khrushchev Era, II," in English, *Surabu kenkyu* (Slavic Studies—Sapporo), No. 14, 1970, pp. 81-88; Juviler, *Revolutionary Law and Order*, pp. 82-116; Donald D. Barry et al., Eds., *Codification in the Communist World: Symposium in Memory of Zsolt Szirmai (1903-1973)*, No. 19 in the series *Law in Eastern Europe*, Leiden, A.W. Sijthoff, 1975. Also, see the entries on "Forfeiture" (pp. 288-90), "Ownership" (pp. 480-83), and "Property" (pp. 549-50) in *ESL*. Finally, see Frederick C. Barghoorn, "The Post-Khrushchev Campaign to Suppress Dissent," in Rudolf L. Tökés, Ed., *Dissent in the USSR*, Baltimore, MD, The Johns Hopkins University Press, 1975, pp. 35-39.

[18] See note 16.

[19] See the edict of Feb. 15, 1977, which added "Article 39/1: Postponement of punishment of sentenced juveniles" to the Fundamental Principles of Criminal Law of the USSR and Union Republics, *Vedomosti Verkhovnogo Soveta SSSR* (Gazette of the USSR Supreme Soviet), No. 8, 1977, item 137. See also another edict of the same date, "On the Basic Obligations and Rights of Juvenile Inspectorates, Collection-Distribution Centers for Juveniles, and Special Educational Institutions for the Prevention of Lack of Supervision and Lawbreaking of Juveniles," ibid., item 138.

On changes in the treatment of adults, such as separation of most offenders convicted of negligent crimes, and on the increasing emphasis on parole and suspended sentences with attached obligation to work wherever assigned, see the edicts of Feb. 8, 1977, contained in ibid., No. 7, 1977, items 116-121.

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3) Property is the key to socialist economic—and political—relations.[20] But the substance of Communist property law differs from place to place, even among the union republics of the Soviet Union. *ESL* lists minor republic-to-republic differences regarding contracts; limits of allowable housing space; the penalties for unlawful home building; procedures for the confiscation of property acquired by illegally accumulated means; wills and inheritance; rules on rights to objects of personal value such as correspondence, diaries, and one's own photograph; civil capacity as affected by the use of alcohol and drugs; and other matters such as collective-farm property.[21]

Local traditions and circumstances introduce significant variations in the manner in which the political, social, and economic dimensions of Communist law—its "common core"—have been articulated in different Communist countries. Chinese law seems the most flexible and least formalized in codes. Soviet law ranks among the most intrusive and the most politically and ideologically defensive.[22] Polish property law is one of the least restrictive in the Communist legal systems, a view which receives support in *PCL*. Poland's decollectivization in 1956 and subsequent concessions to small-scale peasant farming and private enterprise have turned out to be more permanent than was the Soviet Union's NEP of 1921-28, as is amply confirmed in articles by Drs. Dominik Lasok, Aleksander Rudzinski, and Leopold Koziebrodzki in Volume I of *PCL*.

It nevertheless should be pointed out that the civil codes of the USSR and Eastern Europe all establish a hierarchy of types of property in that they set increasingly stringent limits on its possession, use, and disposal. In general, state property rights are the least restricted. The ownership of property by social organizations like trade unions and building or farm cooperatives usually carries more restrictions. The heaviest restrictions relate to personal property and the property of private citizens which is used to earn income.

Explicit political limits on ownership rights are a further distinguishing feature of Communist civil law. These rights are conditional. According to Soviet civil law, for example, they are forfeitable if used "contrary to the intention of these rights in socialist society during the building of communism" and are subject to the obligation to "respect the rules of socialist living and the moral principles of a society building communism."[23] The Polish Civil Code bars the use of ownership rights "contrary to the socioeconomic purpose of such rights or to the principles of social co-operation of the Polish People's Republic."[24] Decaying housing and unproductive or untilled farmlands may accordingly be confiscated. Yet as Hazard has observed, the Poles depart from the Soviet example and, looking past legal title, may confiscate property merely on the suspicion of an illegitimate acquisition of the means necessary to purchase those property rights.[25]

Law as a source of insights on the Soviet system. The third main tendency in research on Soviet law is to use legal materials and events (such as the drafting of a reform) to gain insights into Soviet politics, society, and economics. Today, in fact, a foreign political scientist doing research on Soviet government or administration is likely to end up attached to a law faculty or institute, for there is as yet no separate Soviet discipline of political science.[26]

Issues concerning the role of law as a "regulator of social relations"[27] have been percolating into public debate since Stalin's

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[20] John N. Hazard, *Law and Social Change in the U.S.S.R.*, Toronto, Carswell, 1953.

[21] E.g., "According to the Ukrainian, Uzbek, Latvian, Turkmen, and Tadzhik codes, the executive committee of the local soviet may order the confiscation of unlawfully constructed private houses but not the eviction of the citizen out of the same house as provided by the other codes (see Eviction)." From "Civil Law," *ESL*, p. 116.

[22] Hazard, *Communists and Their Law*, passim.

[23] See *Grazhdanskiy kodeks RSFSR* (Civil Code of the RSFSR), Moscow, Yuridicheskaya literatura, 1976, Article 5. Similar articles exist in the civil codes of the other union republics.

[24] *PCL*, Vol. 1, pp. 33.

[25] Hazard, *Communists and Their Law*, pp. 214-15.

[26] Tentatively encouraged as a separate discipline during Khrushchev's tenure, political science has since been re-assimilated into legal studies, although the Soviet Association of Political Science formally remains in existence and continues to be a member organization of the International Association of Political Science (IAPS).

The delegation of 27 Soviet scholars to the 10th Congress of the IAPS thus contained no "political scientists"—only "specialists in various fields of Soviet social sciences (philosophical, judicial, historical, economic sciences)." But the Soviet jurist rapporteur did note that: "An approach to law that uses the categories of political science appears promising. Such questions as the role of law in the process of making political decisions, law and political culture, law and political behavior, the legal framework of politics, etc., merit attention." See V.A. Tumanov, "Results of the 10th Congress of the International Association of Political Science," *Sovetskoye gosudarstvo i pravo* (Moscow), No. 6, 1977, pp. 124, 128.

[27] V.M. Chkhikvadze, *Entsiklopedicheskiy slovar' pravovykh znaniy (sovetskoye pravo)* (The Encyclopedia Dictionary of Legal Knowledge [Soviet Law]), Moscow, Sovetskaya entsiklopediya, 1965.

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death. This reexamination of policies and priorities was evident in the case of much of the recent legislation listed in *ESL,* such as the family law reforms of 1968, the anti-alcoholism measures of 1972, and the environmental protection code of the same year. Coverage of debates over criminal law provides information about the particular form which normative and cultural conflicts take in the USSR. Certainly, *ESL*'s entry on "Organized Crime" has comparative social interest for students of white-collar crime, which, it is suggested, reaches into the ranks of the powerful and privileged:

It is wrong to view syndicated crime as dividing society into two strictly separated sections: law-abiding people on the one side and criminals on the other. The specific character of syndicated crime is its close connection with the law-abiding, moral and even dogmatically minded population. (p. 478)

Women's liberation and established economic priorities clash, thus revealing another familiar note of normative conflict in the USSR. Equally revealing—and also familiar—are the arguments among women over how best to liberate themselves from their daily household burdens. Male chauvinism persists in the Soviet Union, as demonstrated by many sociological findings and on every occasion that laws concerning women and family relations are discussed. *ESL* registers a provocative though untested theory relating lawbreaking and the cultural conflict over women's liberation. The theory posits that sex ratios among delinquents are a measure of the extent to which female equality has been achieved in a given society:

It may be significant that the overall ratio of male to female delinquency in the USA is 5/1, in Great Britain 6/1 and in the USSR 10/1. It seems to be a pointer towards greater equalizing tendencies in the capitalist countries than in the Soviet Union. (p. 220)

THE STUDY of Soviet law has become in recent years one of the few real growth industries in Soviet area research. The norms and public procedures of Soviet law receive judicious treatment in the scope of *ESL* and its highly competent entries. But research on Soviet law has gone further—to pry into its secret and evasive parts, to point to historical and international comparisons, and to suggest implications for the Soviet social and political system. Laws, like statistics, can lie and conceal —or they can order and reveal. Recognition of this fact accounts for our caution in sketching out the working hypotheses and untested theories which summarize the current state of the field.

Research on Soviet law, however, still lags factually and analytically behind its subject. East-West interchanges between legal specialists are only now beginning to go beyond trade and diplomatic concerns to deal with other common problems of considerable urgency.

Nevertheless, some specialists on Communist countries are finding ways to join their area expertise with the rigor of the lawyers' commentary, and some of the lawyers involved in the interchanges are able to combine the insights of social science with their legal expertise.[28] Since much valuable research on Western systems has been done by people interested in law and society, the current interdisciplinary approaches to the study of Soviet and Communist law warrant cautious optimism in an otherwise very difficult pursuit of order and revelation.

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[28] E.g., see Donald D. Barry, "Law and Social Science: Recent Developments," in Alex Simirenko, Ed., *Social Thought in the Soviet Union*, Chicago, Quadrangle Books, 1969, pp. 153-94. In addition see Donald D. Barry (political science) and Harold J. Berman (law), "The Jurists," in H. Gordon Skilling and Franklyn Griffiths, Eds., *Interest Groups in Soviet Politics*, Princeton, NJ, Princeton University Press, 1971, pp. 291-333; Walter D. Connor (sociology), *Deviance in Soviet Society: Crime, Delinquency, and Alcoholism,* New York, NY, Columbia University Press, 1972; F.J.M. Feldbrugge (law), "Criminal Law and Traditional Society: The Role of Soviet Law in the Integration of Non-Slavic Peoples," *Review of Socialist Law* (Leiden), Vol. 3, 1977, pp. 3-51; John N. Hazard (law), as cited supra; Robert Sharlet (political science), "Stalinism and Soviet Legal Culture," in Robert C. Tucker, Ed., *Stalinism: Essays in Historical Interpretation*, New York, NY, Norton, 1977; and Peter H. Solomon, Jr. (political science), "Specialists in Soviet Policy-Making: Criminologists and Criminal Policy in the 1960s," unpublished PhD dissertation, Columbia University, 1973.

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The Russian Revolution in Retrospect

By Abraham Ascher

MARCEL LIEBMAN. *Leninism Under Lenin.* Tr. by Brian Pearce. London, Jonathan Cape, 1975.
JOHN L. H. KEEP. *The Russian Revolution: A Study of Mass Mobilization.* New York, NY, W. W. Norton and Co., 1976.
WILLIAM G. ROSENBERG. *Liberals in the Russian Revolution: The Constitutional Democratic Party, 1917-1921.* Princeton, NJ, Princeton University Press, 1974.
ALEXANDER RABINOWITCH. *The Bolsheviks Come to Power: The Revolution of 1917 in Petrograd.* New York, NY, W. W. Norton and Co., 1976.

THE FOUR BOOKS under review are noteworthy not only because they are highly informative but also because they shed light on recent historiographical trends in scholarship on the Bolshevik Revolution. The most satisfactory synthetic work is still William Henry Chamberlin's *The Russian Revolution*, published in 1935.[1] During the past 40 years, however, a vast quantity of documentary material has become available, making it possible for historians to fill gaps in our knowledge and reexamine accepted interpretations. As a result, numerous monographs have appeared on specialized subjects: the works by Keep, Rosenberg, and Rabinowitch are fine examples of this historical genre. By now enough spadework has probably been done for a new, broad, interpretive account of 1917.

Marcel Liebman has attempted to write precisely that kind of book, but unfortunately his endeavor is not successful. Indeed, if this prominent scholar were not so widely read and if his interpretation had not achieved a certain currency in the West in recent years, his book would not merit extensive discussion. Although he takes to task Western and Soviet historians for producing superficial and biased studies of Lenin, his own analytical survey of Leninism and Soviet history from 1917 to 1924 is at all times colored by his conviction that Leninism "serves as one of the brightest torches available to aid our observation of present-day phenomena" (p. 22).

One of Liebman's aims is to demonstrate the "essential *differences*" and "basic *incompatibility*" between Leninism and Stalinism. Reputable historians may indeed differ on the vexing question of the linkage between the ideologies of the first two leaders of the Soviet Union, but Liebman is so eager to preserve the good name of his hero that what he has written must be adjudged hagiography, not history. Whenever he mentions unattractive features of Lenin's thought or conduct, he invariably explains them as unavoidable blemishes in an otherwise admirable career and system of ideas. This approach leads the author to make some confusing and contradictory statements that undermine his entire presentation.

For example, Liebman attributes the Bolsheviks' "deliberate striving to transform the Party into a monolithic bloc" and the movement's elitism in organizational matters to special circumstances prevailing in Russia prior to 1917: the isolation of the revolutionaries from the working class and the repressive nature of the Tsarist regime. Yet, he also states that Lenin's organizational views did "have general application." In Lenin's view, not only the Russian proletariat, but the "developed proletariat of Western Europe, richer as that was in experience and consciousness," had to create an elitist party in order to effect a socialist revolution.

To make matters worse, Liebman insists that "as a conception and outlook," Leninism must be regarded as "thoroughly *democratic* in character." It is, in fact, a central theme of the book that in 1917 the Bolshevik Party "opened itself . . . to the life-

[1] 2 vols., New York, NY, MacMillan.

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giving breeze of democracy." Throughout the year there was no such thing as "absolute obedience" within the party, Lenin did not act as a dictator, the soviets were decentralized, and—perhaps most important—party membership rose dramatically, from 23,600 to about 400,000. The data are accurate and in some respects important, but do they sustain the conclusion that the party had become "de-Bolshevized"? Can it be said that a party of 400,000 that seized power in a country of approximately 160 million was committed to the principles of democracy? And what is one to make of the fact that in the only free election ever held in Russia—three weeks after Lenin's coup—the Bolsheviks received only 25 percent of the votes, yet proceeded to disband the Constituent Assembly chosen by the people?

Mr. Liebman is so carried away by the "transformation" of the party in 1917 that he makes a factual error that is not in itself critical but does call into question his use of historical data. He attributes Lenin's desire in 1917 to change the name of his movement from "Social Democratic" to "Communist" to the realization that his organization had been profoundly altered by its enrollment of so many new members. The truth is that as early as December 1914 Lenin had called for such a change because he had concluded that most European social democrats had become bourgeois "reformists" and "chauvinists."

THE QUESTIONS raised by Liebman are of the greatest importance; therefore, it is not surprising that John Keep also deals with them in his thoroughly original study. But Keep's conclusions, cautiously formulated, are more persuasive and better grounded in research. They are, moreover, quite different from Liebman's, as is clear from Keep's stated purpose: "to show how and why" developments from February 1917 to the late spring of 1918 "gave birth to the twentieth century's most durable dictatorship." Keep is not a historical determinist; consequently, he concedes that during the early period of the Soviet Union the leaders might have selected policies that would have prevented the development of a monolithic dictatorship. He also acknowledges that many factors after 1918 contributed to the emergence and durability of totalitarianism in Russia. Still, he argues forcefully that the groundwork for the Soviet system of rule was laid during the months he has so painstakingly examined. As he puts it, "there does seem to be a certain logic to the unfolding of events."

In substantiating his thesis, Keep eschews a narrative account of the Revolution of 1917. In fact, no one unfamiliar with the main events of 1917 should tackle this book, because the author assumes such knowledge on the part of the reader. He concentrates on two fundamental developments: the disintegration of Russian society and the mobilization of mass support by the Bolsheviks. On both subjects he has uncovered a welter of detail that he analyzes with great skill. Wherever possible, he supports his argument with statistical information that is hard to come by. The book is clearly a triumph of research, all the more so because most of the pertinent archives are still closed to Western scholars.

The core of the book consists of a careful exploration of the composition and activities of the principal mass organizations that arose after the collapse of Tsarism. What Keep wants to show is how the factory committees, workers' militia, trade unions, and urban as well as rural soviets fell under Leninist control. Had this not occurred, the Bolsheviks would not have had the necessary mass support to seize or retain power. There was no one pattern that explains the "bolshevization of the masses," but Keep found enough examples in a wide range of localities to present a vivid picture of the process. The details he culled from numerous newspapers, memoirs, and other sources invest his account with a concreteness and authority not often found in historical monographs.

To some extent, he finds, the radicalization of the mass organizations was a spontaneous process. People were prepared to move to the left because they were weary of the war, disgusted with the ineptitude of the Provisional Government and the non-Bolshevik parties, and frightened by the social and economic disintegration of the country. But no less important in the process of radicalization were the political skill and ruthlessness of the Bolsheviks, who "alone were schooled in the techniques of organizational manipulation and knew more or less what they wanted to achieve." In one organization after another, the Bolsheviks outmaneuvered their opponents, and where necessary they resorted to physical coercion. Once they had brought the mass organizations into line (by the spring of 1918), the Leninists were in a position to ward off the opposition during the civil war and to create an institutional framework that would enable their

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party to rule the country for decades to come.

WILLIAM ROSENBERG contributes to our understanding of the Bolshevik success by analyzing the failure of the Kadets (Constitutional Democrats) in the years from 1917 to 1921 to pursue policies that might have transformed Russia into a liberal polity on the Western model. Founded in 1905 and supported by intellectuals and professors, and to a lesser extent by bourgeois and professional strata in the cities and towns, the Kadet party quickly evolved into an influential movement. After the autocracy's collapse in February 1917, Kadets dominated the Provisional Government, and although their influence rapidly dwindled, a few served in most coalition governments until Lenin's coup. Rosenberg is correct in asserting that the Kadets were "the one political group whose policies did more to influence the outcome of events than any other political organization besides the Bolsheviks."

The Kadets committed three fatal mistakes: they insisted that the war against Germany must be fought to a successful conclusion; they neglected social and economic issues; and, as advocates of a "broad nationalism," they refused to support the demands for autonomy of the various minorities in the Russian Empire. In the intense climate of 1917, when large numbers of people were desperate for peace and for far-reaching reforms, the Kadets' inflexibility was bound to be politically costly. Inevitably, a growing hostility developed between them and the moderate socialists—which proved to be a major cause of the Provisional Government's instability and loss of authority. Even after Lenin took power, the Kadet party refused to alter its stance, thus preventing the formation of a unified anti-Bolshevik movement with wide popular support. Only in May 1920 did the party leaders —then in exile—acknowledge their errors, but by that time their pronouncements could no longer influence events in Russia.

That Russian liberalism blundered badly during the revolution and civil war has, of course, been known, but Rosenberg is the first historian definitively to document this part of the tragic story of 1917. His research is unexceptionable, and his case against the Kadets is a strong one. But occasionally he is too censorious in criticizing them for their shortsightedness. After all, the Kadets were liberals; it is therefore not surprising that they found it extraordinarily difficult to entertain policies they considered either socialistic or harmful to the Russian state. They faced terrible dilemmas and deserve at least a modicum of sympathy. This one criticism aside, Rosenberg has produced an outstanding work of scholarship which is not likely to require fundamental revision even after Soviet archives are opened.

ALEXANDER RABINOWITCH examines yet another critical aspect of 1917, Bolshevik strategy and tactics in Petrograd from July to October. Because of his skillful use of sources, particularly memoirs and contemporary newspapers, Rabinowitch makes the most of what is inherently an absorbing story. He has a fine eye for dramatic and evocative detail, which he weaves into a stirring account that vividly describes general conditions in Petrograd and suggests the mood of the capital on the occasion of each political crisis. To cite but one example, his depiction, right at the beginning of the book, of the chaotic situation in the city caused by food shortages and strikes is unsurpassed in the vast literature on the revolution. By the same token, his analyses of the debates within the Bolshevik party is characterized by an admirable subtlety and comprehensiveness. Anyone interested in reading one monograph on this subject need go no further.

Mr. Rabinowitch develops his rich narrative within a broad interpretive framework. First of all, he argues that the Bolshevik triumph cannot legitimately be attributed either to accident or to historical inevitability. Nor was it the consequence only of the "revolutionary discipline, [and] organizational unity" of the Bolshevik party or of the rank and file's "obedience to Lenin." He finds just as unsatisfactory the view that the party's seizure of power was "a well-executed coup d'état without significant mass support." Without denying the importance of Lenin's role as a strong leader who persuaded a reluctant party to embark on a revolutionary course, Rabinowitch stresses certain other factors: "the relative flexibility of the party" and "its responsiveness to the prevailing mass mood," which gained the Bolshevik movement "strong popular support." In his view, it was this "democratic character" of the party that, as much as any factor, explains the Bolsheviks' success in taking power.

Rabinowitch thus tends to side with Liebman's interpretation, though it should be stressed that Rabinowitch's work is far more thoughtful, judicious, and reliable. At the same time, it is possible to impart to the facts he has so assiduously collected a quite different interpretation, one that would

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conform to the theme developed in Keep's work. For example, while it is indisputable that the Bolsheviks increased their mass support in 1917, it is also a fact that in large measure they succeeded in doing so by abandoning principles they had long considered inviolable.

The Bolsheviks' call for the distribution of the land to the peasants ran counter to the Leninists' advocacy of nationalization of the land; the support for workers' control over the factories may justifiably be termed syndicalism rather than Marxism; the promise to give real power to local soviets and to national minorities was inconsistent with the Bolshevik party's insistence on a highly centralized polity. To be sure, Lenin did conclude peace with Germany, as he said he would, but the democratization of the army, also promised in 1917, was quickly abandoned. The Bolsheviks' adoption of these slogans may be considered a sign of flexibility, but in light of their earlier convictions and subsequent policies, their course in 1917 may also suggest adroit opportunism.

In any case, it may be questioned whether it is at all useful to dwell on the democratic nature of the Bolshevik party in 1917. A political party will be concerned with democracy only if it contains a sizable number of convinced democrats and if it is led by democrats. Neither was true of the Bolshevik movement. Lenin, who did more than anyone else to shape the philosophy and practice of Bolshevism, was preoccupied from the early 1900's onward with ideas that were distinctly hostile to the very concept of democracy. He was an avowed Marxist bent on achieving power. This is not to say that he lusted for power for its own sake or that his rule was no different from Stalin's. Lenin undoubtedly believed that by staging a revolution the Bolshevik party would create a better society in Russia and eventually in the rest of the world. But democracy as we understand the term was not part of his vision.

Reservations aside, the valuable feature of the four volumes reviewed here is that each one addresses a critical question about the Revolution of 1917. The historian bold enough to undertake a synthesis of recent scholarship on that event may not be satisfied with all their answers, but he will surely want to take them into account.

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Correspondence

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THE SOVIET MILITARY

TO THE EDITORS: In the September-October 1975 issue of *Problems of Communism*, Mr. Lewis A. Frank strongly criticized certain aspects of my article, "SALT and the Soviet Military" (*POC*, January-February 1975), in particular my brief discussion of Soviet military doctrine. In my reply at that time, in addition to some general observations, I expressed regret that I was not then in a position "to document that assertion on the open record," but I assured readers that my conclusion was not, as he had alleged, based on "mirror-image" extrapolation.

I renew the discussion now only because some of the concrete documentary basis for my statements is now available for public citation, and I believe it will be of considerable interest to readers of your journal.

What I had written, to which Mr. Frank took exception, was the following passage on p. 33 (emphasis added):

By 1969, the Soviet military had reached the conclusion that strategic superiority, in the sense of a first strike option permitting escape from a crushing retaliatory strike, was not possible for either side in contemporary conditions. They recognized that, ***with the existing level of development of nuclear missile forces, it had become impossible in practice for an attacker to destroy such forces completely, and consequently that it had also become impossible to prevent an annihilating retaliatory strike.*** *In other words,* ***a kind of "nuclear balance" in terms of capabilities for mutual destruction had come into being.*** *At the same time, the military were concerned that* ***this balance could be threatened if one side (the US) achieved a highly effective anti-ballistic missile defense while the other side (the USSR) did not have such a defense.***

In support of these statements, I am now in a position to cite the following excerpts from the confidential Soviet General Staff organ *Voyennaya mysl'* (Military Thought), circulation of which is limited to senior Soviet officers:

With the existing level of development of nuclear missile weapons . . . it is impossible in practice to destroy them completely, and consequently it is also impossible to prevent an annihilating retaliatory strike.

. . . a kind of "nuclear balance" was created . . . the essence of which consists in the following: the capabilities for mutual destruction . . . are relatively equal.

. . . disruption of the "nuclear balance" . . . is possible in case of . . . the creation by one of the sides of highly effective means of anti-ballistic missile defense while the other side lags considerably in solution of these tasks.

The first of these excerpts was written by General of the Army S. P. Ivanov, former Deputy Chief of the General Staff and at that time commandant of the prestigious Academy of the General Staff (in "Soviet Military Doctrine and Strategy," *Voyennaya mysl'*, No. 5, May 1969). The other two were written by Lt. General (then Major General) V. I. Zemskov, Chief Editor of *Voyennaya mysl'* (in "Wars of the Modern Era," ibid.). These are authoritative sources, writing for the internal guidance of Soviet military readers.

The general subject deserves considerable additional attention, and I am at present working on an extensive study of mutual deterrence, Soviet military doctrine, and strategic arms limitation. I offer the present references as an interim contribution on one important aspect of the subject.

RAYMOND L. GARTHOFF
Washington, DC

CORRECTIONS

Through a printers' error, the captions and credit lines for the photos on pp. 48 and 54 of some copies of the July-August 1977 issue of *Problems of Communism* were reversed. The photo on p. 48 is of a family wedding celebration and was provided by Marc Riboud/Magnum. The photo on p. 54 is of a holiday gathering in Kwangtung Province of the family of Li Po-yu and was furnished by Eastfoto.

Also in the July-August 1977 issue, the four photos credited "Katherine Young" (on pp. 5, 8, 16, and 36) should properly have been credited "Sven Simon/Katherine Young."

OVERSEAS CHINESE

TO THE EDITORS: In my article, "Peking, Southeast Asia, and the Overseas Chinese" (*Problems of Communism*, March-April 1977), two errors were inadvertently published on p. 78, column 1. The Overseas Chinese Affairs Commission of the People's Republic of China was established in 1949 (not 1954 as suggested). The Commission was long under the leadership of Ho Hsiang-ning. Liao Ch'eng-chih only became its head in 1959.

THAK CHALOEMTIARANA
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